HER MAJESTY’S GOVERNMENT

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

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Oral Answers to Questions

HOME DEPARTMENT

The Secretary of State was asked—

Refugee Family Reunion

1. **Jo Stevens** (Cardiff Central) (Lab): If he will take steps to expand the scope of the refugee family reunion rules.

**Sajid Javid** (Secretary of State for the Home Department): The Government’s approach to refugee family reunion has provided a safe and legal route for more than 25,000 partners and children of those granted protection here in the last five years. We are listening carefully to calls to expand family reunion. We are monitoring the progress of two private Members’ Bills and are actively in discussion with non-governmental organisations.

**Jo Stevens**: While adults can sponsor their relatives, under UK rules separated children have no family reunion rights—not even to bring their parents to the UK. Every other country in the EU allows children to sponsor at least their closest relatives. When will the UK do the same?

**Sajid Javid**: I understand the concerns of the hon. Lady, who is right to raise this important matter. As I said a moment ago, we want to look at the private Members’ Bills and see what more we can do. On her specific issue about children, there is a concern that if we allow children to sponsor adults, whether their parents or others, that might cause harm, in that people might be incentivised to push children forward and put them through danger. I hope she understands that we need to consider such things carefully.

**Mr Ranil Jayawardena** (North East Hampshire) (Con): Is it not critical that we help people at home rather than incentivising people to trust people traffickers and so support their illegal activities?

**Sajid Javid**: My hon. Friend makes a very good point. He will know that the Government do a lot—more than any other European Government—to support refugees in conflict zones. With regards to Syria, for example, the British Government have so far allocated more than £2 billion.

**Patrick Grady** (Glasgow North) (SNP): The Home Secretary says he wants to consider the private Members’ Bills, so is it not about time the Government brought forward a money resolution so that the Bill in the name of my hon. Friend the Member for Na h-Eileanan an Iar (Angus Brendan MacNeil), the Refugees (Family Reunion) (No. 2) Bill, can make progress and we can debate the Government’s amendments?

**Sajid Javid**: As I have said, this is an important and sensitive issue and we want to consider it carefully, but that means it should not be rushed. We should take the correct time necessary to consider the Bills.

**Rebecca Pow** (Taunton Deane) (Con): We have two Syrian families living in Taunton Deane. The local community has gone all out to look after them, particularly a charity called Christian Help and Action for Refugees in Somerset and Rev. Rod Corke from St Mary Magdalene Church, who is leaving us soon to go to Malvern—a great loss. Will the Home Secretary join me in congratulating all those who have given up so much time to look after these needy people?
Sajid Javid: I absolutely join my hon. Friend in commending the work of her local community in helping refugees, particularly the group CHARIS. It shows the importance of community sponsorship, which is something we want to look at more closely.

Ms Diane Abbott (Hackney North and Stoke Newington) (Lab): The importance of family life ought to unite both sides of the House, but the current rules break up families, as many of us see in our own constituency case loads week after week. The rules are inhumane and in breach of the right to a family life under article 8 of the European convention on human rights. It is also unfortunate that legal aid for some of these applications, which was previously available, was removed under the coalition in 2013. Labour has pledged in government to end the breaking up of families under these rules. Surely the Home Secretary should move faster to review his current family reunion rules.

Sajid Javid: I say to the right hon. Lady that 25,000 people have been reunited over the last five years—5,000 a year; I hope she would agree that that is not an insignificant number. She says the current rules are inhumane. It is worth reminding her that they were introduced in 2007 by the previous Labour Government. Perhaps she should reflect on that. She talks about legal aid. As she will know, legal aid is under review by the Ministry of Justice and is something we are looking at carefully.

Domestic Violence and Abuse

2. Bambos Charalambous (Enfield, Southgate) (Lab): What is the timetable for bringing forward legislative proposals on domestic violence and abuse. [905643]

The Parliamentary Under-Secretary of State for the Home Department (Victoria Atkins): The Government’s wide-ranging consultation on domestic abuse closed last Thursday. We are analysing more than 3,200 responses received from survivors of domestic abuse, frontline professionals, experts from the domestic abuse sector and academics. I am grateful to everyone who took the time to respond. As announced in the Queen’s Speech, the Government remain committed to bringing forward a draft Bill this Session.

Bambos Charalambous: The previous Chancellor announced that domestic violence services would be among the beneficiaries of the tampon tax and would receive an additional dedicated £10 million a year, but this amount remains inadequate for services already hard hit by successive cuts since 2010. Will the Government set out a long-term funding strategy for domestic violence and rape crisis services?

Victoria Atkins: I am grateful to the hon. Gentleman; I know he has taken an interest in this matter. The Government have committed £20 million specifically to domestic abuse accommodation. It is supporting 80 areas, creating 2,300 new bed spaces and supporting 19,000 victims of domestic abuse. The Ministry of Housing, Communities and Local Government is also conducting an audit of services. Between that audit and the consultation responses, we will ensure that we have a service that supports victims of domestic abuse.

Mr Speaker: Congratulating him on his knighthood, I call the right hon. Member for Bexleyheath and Crayford (Sir David Evennett).

Sir David Evennett (Bexleyheath and Crayford) (Con): Thank you, Mr Speaker. Can my hon. Friend confirm that the first ever statutory definition of domestic abuse will recognise that it is not just physical, but can take many different forms—psychological, sexual, economic and emotional—all of which should be considered?

Victoria Atkins: I echo your congratulations to my right hon. Friend, Mr Speaker. I can give him the confirmation for which he has asked. The purpose of the Bill is to include in legislation, for the first time, a cross-governmental definition of domestic abuse. We know that it is not confined to physical violence but can take many forms, and we want the law to reflect that.

Thangam Debbonaire (Bristol West) (Lab): I look forward to the introduction of the Bill, and, as the Minister knows, I also look forward to working on it on a cross-party basis. However, may I press her further? Is she aware of a report published by Professor Sylvia Walby in 2009, which, I think, updates earlier research and draws attention to the economic as well as the moral and emotional case for tackling domestic violence earlier and better?

Victoria Atkins: I am extremely grateful to the hon. Lady, who always brings her outside expertise to the House when she speaks of such matters. It does not feel right to talk about the economic effects of domestic abuse, because the emotional and psychological impacts are of course far greater, but there is an economic side as well. We look forward very much to working on the Bill with the hon. Lady and others.

Policing: Protests

3. Huw Merriman (Bexhill and Battle) (Con): What guidance his Department provides to police forces on the policing of protests. [905644]

The Minister for Policing and the Fire Service (Mr Nick Hurd): The Home Office monitors protest threats, but the management of protests is an operational and independent matter for the police so no Home Office guidance or briefings have been issued.

Huw Merriman: Does the Minister agree that protest groups whose core aim is to disrupt legitimate business, such as meat production, should pay towards the cost of policing? Surely it cannot be right either for there to be too few police covering the protests, or for there to be fewer police elsewhere because those who are covering the protests cannot police the rest of the community.

Mr Hurd: I understand the point that my hon. Friend is making, and I understand how distressing it must be for a legitimate business to be on the receiving end of a campaign of disruption. I am sure that, as a good democrat, my hon. Friend would not want to do anything to undermine the principle of peaceful protest. When that crosses the line into harassment or threats to public safety, we have recourse to the Public Order Act 1986 and the Protection from Harassment Act 1997.
Dr Rupa Huq (Ealing Central and Acton) (Lab): Ealing’s police have been dealing with one protest for 23 years outside our local Marie Stopes clinic. The aim of the protest is to prevent women from accessing healthcare. Although our council has now introduced a public spaces protection order, this is a national problem that requires a national solution. Will the Minister respond to the letter that 160 of us—including the Father of the House, the right hon. and learned Member for Rushcliffe (Mr Clarke), and three Select Committee Chairs—wrote to him asking for his predecessor’s review to be published, and will he opt for our proposed solution of buffer zones? That would be an easy win for him at an early stage in his already successful career.

Mr Hurd: The hon. Lady and I have debated this matter in Westminster Hall, and we both know that there is a balance to be struck between the right to protest and ensuring that protests do not cross the line into harassment and intimidation. As she says, her local council has introduced a public spaces protection order, and we need to see how that goes. As for the review that she mentioned, it was entered into in good faith and it is ongoing.

Settled Status

4. Kate Green (Stretford and Urmston) (Lab): What recent assessment he has made of the adequacy of the new process for non-UK EU citizens resident in the UK to apply for settled status. [R] [905645]

The Minister for Immigration (Caroline Nokes): The application process for resident EU citizens and their family members to obtain that status in the UK after we leave the EU will be straightforward, streamlined and user-friendly, and there will be a dedicated customer contact centre to help people through the process. The majority of applicants will need to meet only three criteria: they will have to prove their identity, prove that they are resident in the UK, and prove that they do not pose a serious criminal or security threat.

Kate Green: According to the Migration Observatory, 64,000 non-Irish EU nationals in the UK have never used the internet, and 250,000 have reported language-related difficulties in accessing or keeping work. What capacity will the Home Office have to deal with the many thousands of applicants who will not be able to apply online?

Caroline Nokes: We have been very clear from the outset that the cost of the scheme will be no more than the cost of applying for a British passport, and indeed for those who already have permanent residency there will be no cost at all. It is crucial that we continue to work with our user groups, and as we roll the scheme forward we will be providing more information, including through our dedicated email service that we are sending out to people. But we do have an important communication job to make sure people know how to apply and when the scheme opens.

Joanna Cherry (Edinburgh South West) (SNP): Efforts to involve community groups and public services such as libraries in facilitating settled status applications seem almost non-existent. I learned from Scottish Government colleagues last week that in Scotland the UK Government have made only cursory contact with just two libraries. Can the Minister tell us what further engagement is planned with community groups and public services?

Caroline Nokes: The Home Office continues to engage with people, businesses and organisations across the UK. We are seeking a deal that works for the entire UK and it is very important that we make sure that user groups in Scotland, including organisations such as Citizens Advice, have the necessary resources and understanding of how this system is going to work. We are rolling forward an engagement programme from this point onwards, and I am looking forward to making further announcements in due course.

Andrew Bridgen (North West Leicestershire) (Con): Does the Minister agree that the fact that 3 million or 3.5 million EU citizens wish to remain in the UK after we leave the EU is a huge vote of confidence in post-Brexit Britain’s future? Does she wish that all colleagues in this House had as much confidence as those EU citizens who wish to remain in the UK after we leave?

Caroline Nokes: My hon. Friend makes an excellent point. There are more EU citizens living and working here now than there were at the time of the referendum, and we want to make sure that it is very clear to them that they are welcome. We welcome the contributions they make to both our communities and our economy, and we are working to make sure that the streamlined process is as easy as possible.

Azfar Khan (Manchester, Gorton) (Lab): EU citizens are worried that they might be subjected to the same treatment as the Windrush generation; we have seen similarly cruel treatment of highly skilled migrants deported because of minor tax errors. What system is the Minister putting in place to ensure that, when the settled status system is up and running, issues can be picked up internally without the need for a media storm and extensive pressure from the Opposition?

Caroline Nokes: Of course, it is crucial that the settled status scheme gives people a digital confirmation of their right to live, work and rent property in the UK, and we are absolutely committed to doing that.
The hon. Gentleman also raised the issue of people with minor tax discrepancies. It is important to reflect that there have been several instances where those minor discrepancies have run into tens of thousands of pounds, and it is crucial that we pick up any discrepancies between what people are declaring as their income for immigration purposes and their income for tax purposes.

We want to make sure that we collect the amount of tax that is owing.

**Sexual Exploitation of Vulnerable Children**

5. **Lucy Allan** (Telford) (Con): What steps he is taking to tackle the sexual exploitation of vulnerable children.

[905646]

**The Parliamentary Under-Secretary of State for the Home Department (Victoria Atkins):** The Government attach the highest priority to tackling child sexual exploitation and abuse, declaring it a national threat and investing significantly in law enforcement capacity to transform the police response. Last year’s “Tackling child sexual exploitation” progress report announced a £40 million package of measures to protect children and young people from sexual abuse and exploitation, and to crack down on offenders.

**Lucy Allan:** I thank the Minister for her response. Child sexual exploitation victims often struggle to get justice. What steps will she take to ensure that the police identify grooming and child sexual exploitation, and that they do not mistake those serious crimes for consensual sex?

**Victoria Atkins:** I know that my hon. Friend is pursuing this campaign with great vigour. We have provided £1.9 million to the College of Policing to develop a training package for first responders to vulnerable people. The package teaches the importance of applying professional judgment when identifying signs of issues such as grooming, and police guidance makes it clear that sexual grooming and sexual communication with a child are offences in their own right.

**Rachael Maskell** (York Central) (Lab/Co-op): Will the Minister also acknowledge that the grooming of children can lead to young people over the age of 16 being raped, whether or not so-called consent is given, as the manipulation has already been sustained while the young person was under 16? Will she look into changing the law in this area so that prosecutions can be brought?

**Victoria Atkins:** Every case has to be judged on its own facts, but I would hope that any police investigation—and, indeed, any prosecution—would reflect any history of grooming when the case came before a judge and jury. If the hon. Lady wishes to refer a particular case to me, I will of course be delighted to review it.

**Sir Desmond Swayne** (New Forest West) (Con): Does my hon. Friend understand the level of public unease surrounding Tommy Robinson?

**Victoria Atkins:** I do. I cannot comment on a specific individual, but we are clear that child exploitation is illegal and that it must be, and will be, tackled by the police and the criminal justice system.

**John Woodcock** (Barrow and Furness) (Ind): The Minister might be aware that I have raised with her colleague, the Minister for Policing and the Fire Service, the fact that if the child protection information sharing project were able to keep details of vulnerable mothers-to-be as well as of children, Poppi Worthington would have been known to social services before she died. Has the Minister had time to consider this shortcoming, and will she put it right?

**Victoria Atkins:** I would be happy to meet the hon. Gentleman to discuss that important point. We are clear that there needs to be better information sharing between the various agencies involved, to prevent very sad cases such as the one that he has raised.

**Carolyn Harris** (Swansea East) (Lab): We all acknowledge that child sexual exploitation can often be a consequence of county lines, but the limited awareness of the signs of it means that vulnerable children are often left to the mercy of their abusers. To improve identification, the emergency services need more support. What training and support are the Government providing to help them better recognise child victims of county lines exploitation?

**Victoria Atkins:** As the hon. Lady knows, county lines is a policing priority. It is a major element of our serious violence strategy, precisely because we recognise the harm that it can cause not only through acts of violence among gang members but in the wider community. That is precisely why we have contributed £3.5 million towards a national co-ordination centre to help to spread the message and the intelligence about county lines among police forces.

**Knife Crime**

6. **Gareth Johnson** (Dartford) (Con): What steps he is taking to tackle knife crime.

[905647]

8. **Mr Mark Francois** (Rayleigh and Wickford) (Con): What steps he is taking to tackle knife crime. [905649]

**The Secretary of State for the Home Department (Sajid Javid):** The Government have published a serious violence strategy that sets out a range of actions to tackle knife crime, including a national media campaign, continuing support for police action under Operation Sceptre, an offensive weapons Bill and a new round of the Community Fund.

**Gareth Johnson:** Does the Secretary of State agree that we need a multi-faceted approach to tackling knife crime? It is essential that we not only disrupt but educate those people who are likely to offend, but it is also important that we retain a high likelihood of imprisonment for anyone who refuses to stop carrying a knife.

**Sajid Javid:** I agree with my hon. Friend. Offenders need to know that if they commit serious crimes, a prison cell awaits them. That is a huge deterrent, and it is also very much a part of the serious violence strategy.

**Mr Francois:** Unfortunately, we have seen an increase in the prevalence of knife crime in Essex over the past year. Some of it is associated with county lines drugs operations moving out into Essex from the capital.
What action is the Home Secretary’s Department taking, in association with the Essex police, to fight this menace on our streets?

Sajid Javid: I know that the police in Essex taking this issue seriously. Among the actions that they are taking, one thing I would encourage them to do more of is to apply to the Community Fund and to focus a bit more on early intervention, which I know they are interested in and have done successfully before. They have received funding for such projects before, and I would encourage them to seek it again.

Sarah Jones (Croydon Central) (Lab): We know that prevention lies at the heart of much of the knife crime issue, but there are things that can be done now. The former Home Secretary, who is here today, told the Home Affairs Committee that she would look at using more criminal behaviour orders for people who have been convicted of knife crime to stop them from going on social media to get the attention that they crave. Will the Home Secretary look at that issue?

Sajid Javid: The hon. Lady is right that much more can be done that does not require legislation, meaning it can be done more quickly. She talked about criminal behaviour orders. We are looking at that very issue and seeing whether their use can be expanded.

Ian Austin (Dudley North) (Lab): Will the Home Secretary match the £2 million that the West Midlands police and crime commissioner has managed to scrape together to tackle gangs and knife and violent crime with early intervention schemes, mediation programmes and other initiatives? Will he meet me and a cross-party delegation of MPs from the region to discuss how we can work together to tackle the issue?

Sajid Javid: I commend the work that is being done locally by West Midlands police to fight violent crime, particularly knife crime, and I am sure that the funds that it has put to use will make a difference. I would be happy to meet the hon. Gentleman and other local Members of Parliament to discuss the matter further.

Michael Fabricant (Lichfield) (Con): With 44 fatal stabbings in London this year alone, does my right hon. Friend accept that even the BME community would now welcome a tougher stance on stop and search—[Interruption.]—Initially, the BME community argued against it and that is why I used the word “even”. Therefore, does my right hon. Friend think that it is time to provide different guidance to the police on when stop and search is appropriate?

Sajid Javid: Perhaps my hon. Friend listened to or heard about the speech I gave to the Police Federation just last week, when I said that the police should be examining all the powers that they currently have, including stop and search. Whenever they think that it is appropriate, they should not hesitate to use it because that will help all communities.

Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): I am sure that we are all as one in wishing to tackle knife crime, but it is the framework of law either side of the Scottish border that interests me. In Scotland, 16 to 18-year-olds can purchase kitchen knives, yet it is a short drive from Coldstream in Scotland to Alnwick in England. Should we not harmonise the laws on either side of the border to tackle knife crime?

Sajid Javid: The hon. Gentleman makes an important point. Devolution means that it makes sense to co-operate on many important issues, and this is one of them. We hope that the new offensive weapons Bill will be supported by the Scottish Government and that they will take similar action.

Police Numbers

Mr Laurence Robertson (Tewkesbury) (Con): What steps he is taking to increase police numbers.

The Secretary of State for the Home Department (Sajid Javid): It is for police and crime commissioners and chief constables to decide the size of their workforces. We are helping the police to respond to changing demand with a £460 million increase in overall funding in 2018-19, including through the council tax precept, and many PCCs are using that cash for extra recruitment.

Mr Robertson: I thank the Home Secretary for that response. Tackling terrorism is obviously extremely important, but the more immediate concern for people each and every day comes from crimes such as burglary and antisocial behaviour. Is he confident that police forces such as Gloucestershire’s will have sufficient officers to follow up complaints about those crimes and see them through right to the end?

Sajid Javid: I reassure my hon. Friend that we are helping the police to respond to the changing demand that he mentions with the extra £460 million overall. Many PCCs have made a commitment to increase frontline policing. Gloucestershire has received a £3.6 million increase this year and I am sure that that will help. In addition, I will prioritise more police resources in the next spending review.

David Hanson (Delyn) (Lab): The Metropolitan police estimates that police officers in London alone are owed 200,000 rest days. How many are owed across the country as a whole?

Sajid Javid: The Metropolitan police does a fantastic job and its officers are incredibly dedicated. Over the past few weeks that I have been in this role I have had the opportunity to meet many of them. We must ensure that they have the resources they need. That is why the Metropolitan police received a record increase in the recent financial settlement, which has been welcomed.

Sir Edward Leigh (Gainsborough) (Con): The Policing Minister is sitting next to the Home Secretary and will be able to brief him on the crisis in police funding in Lincolnshire. He will tell the Home Secretary that we are one of the bottom three authorities in the entire country for funding, so what is the Home Secretary going to do to try to resolve this matter? It would take relatively little and relatively few steps, and it would be cost-effective to ensure that we were fairly funded in Lincolnshire to help to resolve rural crime.
Sajid Javid: For a moment I thought I was back in Housing, Communities and Local Government questions, as that sounds like a question about local government funding in Lincolnshire. My hon. Friend makes an important point. There is an increase of more than £3 million for local policing in Lincolnshire in the latest settlement, but this is an important issue that I wish to look at much more closely as we get to the spending review.

Sir Edward Davey (Kingston and Surbiton) (LD): The Home Secretary has twice talked about police resources on “The Andrew Marr Show” since he took office, first on 8 April, when he said that police cuts have had no effect on crime, and then this weekend, when he said that, as a priority, he wants to secure extra funding for the police. For the avoidance of doubt, is the Home Office’s new line that the police do need high budgets? If so, how much and when?

Sajid Javid: What I recognise is that, for a number of reasons, there has been an increase in recorded crime and certain types of crime, such as cyber-crime, and there has been more reporting of past sexual offences and of domestic crime. We are encouraging that and we want to see it reported. We have to make sure resources match that demand, which is why the increase this year is very welcome. As we get to the spending review, we have to make sure that we have the right amount of resources for the long term.

Mr Philip Hollobone (Kettering) (Con): Police resources would go further if those who do arrest and who are subsequently convicted were to serve their time in jail in full, thus reducing reoffending rates. Does the Home Secretary agree?

Sajid Javid: Where I agree with my hon. Friend is that it is important that people who are sentenced serve the appropriate amount of time. I am aware of the issues he raises, and I would welcome discussing them with him further.

Mr Stephen Hepburn (Jarrow) (Lab): Since the Tories came to power, the number of police in the Northumbria policing area has been cut by 27%. During the same time, violent crime has gone up 177%. Is it just the general public who notice the link between those figures, or has the Secretary of State noticed it, too?

Sajid Javid: Perhaps it is worth my reminding the hon. Gentleman that at the last election he stood on a manifesto that wanted to cut police funding by 5% to 10%, whereas this Government have protected it. If his correlation were correct—if it were correct—crime would have gone up even more had Labour been in office.

Fire Services: Workforce

9. Liz Twist (Blaydon) (Lab): What steps his Department is taking in response to fire services’ ageing workforces.

10. Grahame Morris (Easington) (Lab): What steps his Department is taking in response to fire services’ ageing workforces.

The Minister for Policing and the Fire Service (Mr Nick Hurd): The statutory fire and rescue national framework includes principles that all services should follow to ensure that firefighters remain fit and fully supported to remain on operational duties and in employment.

Liz Twist: Fire and rescue services attended 574,659 incidents in the year to June 2017, an increase on the previous year. Has the Minister made any effort to ensure that the falling number of firefighters and fire stations are not overstretched?

Mr Hurd: Yes, because we believe the fire system has the resources it needs to do the job against a backdrop of falling demand for statutory fire services. Of course, the system is sitting on over £600 million of reserves, which have grown by over £0.25 billion since 2011.

Grahame Morris: The ageing work profile among our firefighters is partially a result of changes to the firefighters’ pension scheme. What assessment has the Minister made of the number of redeployment opportunities for firefighters who are compelled to work to the age of 60?

Mr Hurd: The hon. Gentleman raises an important point. The average age of our firefighters is 42, and we have more than 1,000 firefighters who are over 56, which makes it extremely important that fire authorities do not just assess fitness but help firefighters to maintain and develop their fitness and give firefighters all the necessary support and protection when there is a problem so they can continue in their operational duties. That is set out in the statutory fire and rescue national framework, and it will be the subject of independent inspection when independent inspection starts this year.

Mr Speaker: With ingenuity, the hon. Member for Walsall North (Eddie Hughes) will detect that his question is not unadjacent, and if he wishes to put it now, he can.

21. [905662] Eddie Hughes (Walsall North) (Con): Thank you very much, Mr Speaker. May I ask my right hon. Friend what work his Department can do to support the Mayor of the West Midlands, Andy Street, as he seeks greater collaboration between the police and fire services in the west midlands?

Mr Hurd: I assure my hon. Friend that I speak regularly to Andy Street. The Government are determined to honour the second devolution deal, including with proposals to help to bring police and fire services under the Mayor, as we have done in London and Manchester. I assure my hon. Friend that we are absolutely committed to working with both Andy Street and the police and crime commissioner to make sure that that happens by 2020.

Karen Lee (Lincoln) (Lab): As a result of this Government’s cut to funding, along with no recruitment drive, we have seen both a reduction in the number of firefighters and an increasingly ageing workforce. How do the Government plan to address the rising age of firefighters? Will the Minister please give us some specific examples?

Mr Hurd: I already have. Through the statutory national framework, every fire authority is required not just to assess firefighter fitness, but to help to develop and maintain it, giving assurances about support if problems
arise, so that every firefighter, whatever their age, is given the maximum possible opportunity to continue to support their service and remain on operational duties. That is set out in the statutory framework.

Illegal Migrants: Employment

10. Damien Moore (Southport) (Con): What steps he is taking to ensure that illegal migrants cannot work in the UK.

The Minister for Immigration (Caroline Nokes): Employers have had a duty to prevent illegal working since 1997. In 2016, we introduced tougher sanctions on rogue employers and made illegal working a criminal offence, so that wages can be seized as proceeds of crime. We have recently introduced additional safeguards to protect legal migrants seeking employment who do not have the necessary documentation to establish their lawful immigration status.

Damien Moore: I welcome my right hon. Friend’s commitment to reducing illegal immigration. Does she agree that the best way to deter illegal migrants from looking for work in the UK is by preventing their entering the country with stringent checks at air and sea ports?

Caroline Nokes: I thank my hon. Friend for that question. All passengers arriving in the UK at passport control are checked against watch lists on arrival at the border. The majority of those people are checked against our systems before they even travel, through the collection of advance passenger information. Between April 2010 and March 2018, we refused entry to 138,992 people, including more than 18,000 in the year to March 2018.

Tim Farron (Westmorland and Lonsdale) (LD): Those seeking asylum in the UK are currently banned from working and, as a result, they are forced to live in penury and are denied the right to contribute their skills to our society. Does the Minister agree that this system is lacking in both compassion and common sense? Will she reform it?

Caroline Nokes: Our asylum system provides accommodation and funding for those who are here during the process of their asylum claim. The hon. Gentleman makes an important point: we must continue to make sure that the UK has one of the most humane asylum systems in the world. We are working very hard to make sure we do that.

Cyber-attacks

11. Mr Tammanjeet Singh Dhesi (Slough) (Lab): What discussions he has had with Cabinet colleagues on tackling cyber-attacks.

The Minister for Security and Economic Crime (Mr Ben Wallace): The Government recognise that cyber is a tier 1 risk to the UK’s economic and national security. The Home Secretary and I hold regular discussions with ministerial colleagues, the National Security Council, GCHQ and other Government Departments, both to tackle the overall threat and in response to specific incidents.

Mr Dhesi: With respect to cyber-attacks, what steps have the Minister and the Home Secretary taken to ensure that the major media and social media companies are more vigilant in their approach to cyber-crime and how that connects with what the Government are doing?

Mr Wallace: Through both the Joint Fraud Taskforce and broader cyber-security meetings in the Home Office, we work with the industry to produce a common cyber aware campaign, to make sure that everyone is reading from the same hymn sheet and advice is consistent across government. We also work hand in hand with the National Cyber Security Centre to make sure that advice is given both to small businesses and the charitable sector, so that they are not made vulnerable. By investing £1.9 billion in the national cyber-capability programme, we can invest in the capability to see this off.

Mr Robert Goodwill (Scarborough and Whitby) (Con): Will my right hon. Friend join me in paying tribute to the personnel at GCHQ Scarborough, which is known locally as “Wireless station”? Together with their colleagues in Cheltenham, they work day and night to keep us safe from cyber-attacks and cyber-crime.

Mr Wallace: The workforce at GCHQ do a tremendous job of keeping us safe from our enemies, and have done since all the way back to GCHQ’s history in Bletchley Park. I was delighted that some new GCHQ jobs were recently announced in my region, the north-west, which shows that it is not just a Cheltenham-based organisation, with sites in Yorkshire, Cornwall and now Manchester.

Nick Thomas-Symonds (Torfaen) (Lab): The Security Minister indicated on the radio this morning that counter-terror intelligence will now be shared with local organisations, including the police and local councils. Will he explain how the cyber-security of that data will be guaranteed at a local level and what training will be given to those who handle it? Crucially, will he confirm that additional resources will be given to every organisation that is asked to store it?

Mr Wallace: I am grateful for the hon. Gentleman’s question. We are sharing the information more widely in three pilot schemes that will be funded by the Home Office, so the funding will be met by central Government. The first three pilots are going to be based in Birmingham, Manchester and London. Of course, local authorities, social services and mainstream county police forces deal with sensitive information every day, and that is already subject to data protection rules and appropriate levels of security. We will continue to advise them on that, and the information that we share will of course be declassified before they get it.

Domestic Violence

13. Fiona Bruce (Con团体) (Con): What steps he is taking to tackle domestic violence.

The Parliamentary Under-Secretary of State for the Home Department (Victoria Atkins): The Government have introduced a new offence of coercive or controlling behaviour, rolled out new tools such as domestic violence protection orders, and committed £100 million to support victims of violence against women and girls, including a
£17 million service transformation fund that supports 41 areas to promote early intervention and prevention. We are of course working towards the introduction of a draft Bill before the end of this Session.

Fiona Bruce: Does the Minister support the concept of family hubs in local communities, which would mean that, if a relationship were under strain, people would have somewhere to go at an early stage? That might prevent the escalation to violence.

Victoria Atkins: I thank my hon. Friend for her important work on supporting children and families. The Government are committed to early intervention in and the prevention of domestic abuse. We already fund schemes—such as Women’s Aid’s Ask Me scheme—that create safe spaces in communities so that victims can disclose. Following the closing of our domestic abuse consultation last week, we are considering all options on doing more.

Helen Goodman (Bishop Auckland) (Lab): Will the Minister please strengthen the domestic violence services in North Yorkshire, where the Tory council has closed its refuge, meaning that victims flood over into Labour Durham and put our refuges under unacceptable pressure?

Victoria Atkins: I am concerned to hear that accusation. If the hon. Lady feels that local commissioners are not meeting their obligations, will she please write to me so that I can look into the matter?

Leaving the EU: Seasonal Workers

14. Steve Double (St Austell and Newquay) (Con): What steps his Department is taking to ensure that the hospitality and tourism sector can continue to access seasonal workers from the EEA after the UK leaves the EU. [905655]

The Minister for Immigration (Caroline Nokes): The Government are considering a range of options for the future immigration system. We will make decisions based on evidence and engagement. We have asked the independent Migration Advisory Committee to advise on the economic and social impact of the UK’s exit from the EU and on how the UK’s immigration system should be aligned with a modern industrial strategy.

Steve Double: The tourism and hospitality sector’s No. 1 concern is post-Brexit access to the labour force. Many seasonal workers will not qualify for settled status under the current framework because of the seasonal nature of their work. Will the Minister consider some sort of seasonal workers scheme for the hospitality sector, along the same lines as a seasonal agricultural workers scheme?

Caroline Nokes: I recognise the importance of tourism in my hon. Friend’s constituency and his work in the all-party group on the visitor economy. Seasonal workers make an important contribution to the tourism and hospitality sector, and it is a sector that we wish to see thrive. Any EU citizen who is currently in the UK will be able to benefit from the settlement scheme that we are establishing. For the longer term, we have asked the independent Migration Advisory Committee to advise us; I am sure that it will be mindful of my hon. Friend’s points.

Martin Whitfield (East Lothian) (Lab): Along with the hospitality industry, the agricultural industry is crying out for help on migrant workers. Will the Government confirm that they will reinstate the seasonal agricultural workers scheme and allow it to reflect the needs in different areas, such as my county of East Lothian?

Caroline Nokes: The hon. Gentleman has identified farming and my hon. Friend the Member for St Austell and Newquay (Steve Double) asked about tourism, but a number of other sectors are affected, including fisheries, which has been raised with me recently. It is crucial that we take the advice of the Migration Advisory Committee and that we have evidence-based policy making. I reassure the hon. Gentleman and other Members that I am looking into this issue very closely indeed.

Counter-extremism

16. Kwasi Kwarteng (Spelthorne) (Con): What steps he is taking to tackle extremism. [905657]

18. Dame Caroline Spelman (Meriden) (Con): What steps he is taking to tackle extremism. [905659]

22. Adam Holloway (Gravesham) (Con): What steps he is taking to tackle extremism. [905663]

The Secretary of State for the Home Department (Sajid Javid): The 2015 counter-extremism strategy committed the Government for the first time to tackling the non-terrorist harm that extremism causes. Since 2015, supported by civil society groups, we have taken steps to protect public institutions from the threat of extremism.

Kwasi Kwarteng: In the light of the Parsons Green attack, which was committed by a refugee who had been fostered in my constituency, what steps is my right hon. Friend taking directly to make sure that the public feel safe when going about their daily business?

Sajid Javid: I can tell my hon. Friend. Friend that the new counter-terrorism strategy introduced today touches on counter-extremism as well, and some lessons were learned from the Parsons Green attack. If he would like to learn more about that, I am happy to meet him.

Dame Caroline Spelman: After the bombing in Manchester, my constituency experienced a sudden sharp loss of police resources in favour of the city of Birmingham, so I welcome the £450 million extra to be spent on combating terrorism. Does the Home Secretary agree that programmes such as the Church Urban Fund’s Near Neighbours scheme are also needed to tackle the underlying causes of extremism and to help strengthen social cohesion?

Sajid Javid: I agree very much with my right hon. Friend. She will know that I am a big fan of the Near Neighbours scheme. Since 2011 the Government have committed more than £11 million to it, and there is a
further £2.6 million agreed for the next two years. There may also be support available from the Government’s “Building a Stronger Britain Together” campaign.

Adam Holloway: My constituents will be absolutely aghast at the thought of people from organisations such as ISIS returning here. What steps can the Government take to prevent people from such organisations causing harm to our population?

Sajid Javid: My hon. Friend’s constituents are right to be aghast at that, and I fully understand that feeling. This is a Europe-wide issue, and I have already discussed it with some of my counterparts in Europe. We are making sure that individuals who return from conflict zones such as Syria are properly investigated and potentially prosecuted by police, and that if they do come back and live here we have proper restrictions in place.

Catherine West (Hornsey and Wood Green) (Lab): Will the Home Secretary please delegate a Minister to meet me to sort that out as soon as possible?

Sajid Javid: It sounds like a very important issue, and I will make sure that that is done.

Forensic Testing

17. Ruth George (High Peak) (Lab): What recent assessment he has made of trends in waiting times for forensic test results in criminal cases.

The Minister for Policing and the Fire Service (Mr Nick Hurd): Waiting times for forensic test results differ between police forces depending on the types of tests required and the different arrangements that each police force has in place to deliver its forensic services.

Ruth George: My local police force in Derbyshire tells me that, since the closure of one of the private forensic testing companies, it now takes more than six months for forensic tests in criminal cases to come back. That is obviously far in excess of the pre-charge bail conditions that it can put on people, and is seriously hampering it in its abilities to arrest and detain offenders.

Mr Hurd: I assume that that data is true, and I share the hon. Lady’s concern about it. Our overall perception is that the majority of forensic services are currently being delivered faster, more reliably and to higher quality standards than in the past, but the system has had to absorb a couple of quite significant shocks recently, which is why I am conducting a review with stakeholders into the future effectiveness of the forensic market.

Immigration

23. Craig Tracey (North Warwickshire) (Con): What steps he is taking to implement a fair, effective and sustainable immigration system.

The Minister for Immigration (Caroline Nokes): We will continue building and managing an immigration system that meets the economic and social needs of the UK, and I will set out further plans in due course. I am committed to a fair and humane system, and we are reviewing the operational assurance regime across the borders, immigration and citizenship system to ensure that it is effective and reflects best practice.

Craig Tracey: In recent months we have seen a squeeze on doctors’ ability to come to this country to fill vital roles in our NHS. What steps are the Government taking to ensure that we can access the skills that are needed while ensuring that our immigration system becomes sustainable?

Caroline Nokes: We keep the tier 2 cap under close review. Priority is given to doctors working in shortage specialisms, as determined by the Migration Advisory Committee, and no one has ever been refused for any of those posts. We have taken steps to boost training places for nurses and doctors, and a record number of undergraduates will begin medical training by 2020, with 1,500 new places.

Several hon. Members rose—

Mr Speaker: Order. As I seek to squeeze in the penultimate question, I am sceptical as to how enormously helpful it is for a vast array of colleagues suddenly to display an interest, but how can I turn down the Chair of the Home Affairs Committee, the right hon. Member for Normanton, Pontefract and Castleford (Yvette Cooper)?

Yvette Cooper (Normanton, Pontefract and Castleford) (Lab): Thank you, Mr Speaker.

The Home Affairs Committee recommended in February that the Government look again at the tier 2 system, because doctors were already being turned away. The BMJ is now reporting that 1,500 doctors have been turned away even though they had job offers in the national health service. In the Home Affairs Committee and the Health and Social Care Committee, and across the House, there is a strong desire for us to make sure that we get the doctors we need. The Home Office said in response to our recommendations that it was simply going to wait until the publication of the MAC report in October. That is too late. I urge the Government to change the system now to ensure that we can get in the doctors we need.

Caroline Nokes: I thank the right hon. Lady for her question, and I welcome the comments that various Select Committees have made on this issue. I have absolutely no doubt that she heard the Home Secretary’s comments yesterday, and I reassure her that we are looking at the matter closely.

Modern Slavery

24. Gareth Snell (Stoke-on-Trent Central) (Lab/Co-op): What steps his Department is taking to tackle modern slavery.

The Parliamentary Under-Secretary of State for the Home Department (Victoria Atkins): The Government remain committed to stamping out the despicable crime
of modern slavery. We have strengthened the operational law enforcement response and introduced world-leading requirements for businesses to report on slavery in their supply chains, and we are now transforming the support that we provide to victims.

Gareth Snell: Kevin Hyland, the independent anti-slavery commissioner, stated in his resignation letter that he had too often felt that his independence was subject to the discretion of the Home Office, rather than being on a statutory basis. What will the Minister do to ensure that the next commissioner is given the independence that he needs for his role to be flexible?

Victoria Atkins: May I record our thanks to Mr Hyland for the invaluable work that he did as the commissioner? The whole point of the role of the commissioner is that it is independent, so we very much look forward to filling the position with a similarly robust and independent person in due course.

Topical Questions

T1. [905667] Mr Robert Goodwill (Scarborough and Whitby) (Con): If he will make a statement on his departmental responsibilities.

The Secretary of State for the Home Department (Sajid Javid): Yesterday we marked a year since the appalling attack at London Bridge and Borough Market, and less than two weeks ago we remembered those lost at Manchester Arena. Those sobering occasions remind us that the first duty of the Government, and my highest priority as Home Secretary, is to protect the public. Therefore, I today launch the Government’s new counter-terrorism strategy, CONTEST, following the comprehensive review of our counter-terrorism approach announced by the Prime Minister a year ago. The strategy sets out how the Government will continue to tackle the serious and evolving threat from terrorism.

Mr Goodwill: Will my right hon. Friend reassure me that the next commissioner is given the independence that he needs for his role to be flexible?

Sajid Javid: I can give my right hon. Friend that assurance. One of the lessons learned from the 2017 attacks was that MI5 could share some of its information on a wider basis—not just with counter-terrorism police, but perhaps with elements of local government and neighbourhood police. That will happen in the pilots to which the Minister for Security and Economic Crime referred earlier. I assure my right hon. Friend that the information will be declassified and that there will be certain safeguards in place.

Joanna Cherry (Edinburgh South West) (SNP): Denzel Darku is a student nurse and a tireless volunteer who carried the baton for Scotland at the Commonwealth Games in Glasgow. He dreams of a career in NHS Scotland, but faces deportation on a technicality, through no fault of his own. My colleagues in the Scottish Government have already written to the Secretary of State about this young man’s case, but they have not had a reply. Will the Secretary of State meet me to discuss this young man, who only wants to stay in Scotland to serve the national health service?

Sajid Javid: I am pleased that the hon. and learned Lady has raised that case, because it was also raised with me last week by the leader of the Scottish Conservatives, Ruth Davidson, who is also very concerned about it and has asked me to look into it. The hon. and learned Lady might know that there is an appeal going on with regard to Mr Darku, and I should not say too much about that. However, I am very sympathetic about the situation, and there will be no enforcement action while the review takes place.

T3. [905669] Fiona Bruce (Congleton) (Con): Do Ministers agree that more needs to be done to help women who want to exit prostitution to do so?

The Parliamentary Under-Secretary of State for the Home Department (Victoria Atkins): I thank my hon. Friend for raising that point, and I also thank the all-party parliamentary group on prostitution and the global sex trade for its report. I know that my hon. Friend is a member of that group. The Government are committed to tackling the harm and exploitation that can be associated with prostitution. Those who want to leave should have every opportunity to do so. We have provided more than £2 million to organisations supporting prostitutes and sex workers, and we are now funding a study to look into the scale and nature of prostitution.

Ms Diane Abbott (Hackney North and Stoke Newington) (Lab): With reference to the earlier questions on how the cap on tier 2 visas is depriving the NHS of much-needed doctors, the visa cap is damaging the NHS at a time when it is already facing a doctor shortage of 10,000 and an overall staff shortage of more than 100,000. The Home Office is turning away doctors the NHS needs because it is unable to breach the cap. Ministers have referred to briefings in the press in the past few days, but does the Secretary of State appreciate that the NHS needs him to come forward as a matter of urgency and say that he is prepared to review the workings of the cap to allow us to recruit those doctors?

Sajid Javid: It is right that we control immigration and try to bring it down to sustainable levels in the long term, but it is also correct that we let in the skills that we need, whether for our health service or our businesses. This is an important issue, and as we heard earlier, Select Committees have written to me and I am looking at the issue very carefully.

T8. [905674] John Penrose (Weston-super-Mare) (Con): On 6 April the USA announced tough sanctions against 24 Russian Government officials and oligarchs, including Oleg Deripaska, whose company floated here in London last year. When will we publish an equivalent British sanctions list on people whose presence and dirty money are not welcome on our shores?

The Minister for Security and Economic Crime (Mr Ben Wallace): I pay tribute to my hon. Friend for the work he has done on this issue as the Government’s anti-corruption tsar. Like him, I was incredibly interested in the sanctions list that the United States published. He
will be aware that the Sanctions and Anti-Money Laundering Act 2018 has gone through this House. There are further opportunities to strengthen the regime with, I hope, a Bill coming forward from the Department for Business, Energy and Industrial Strategy with regard to designations. We will be exploring that issue. It is important to note that the United Kingdom has recently been at the forefront of driving out dirty Russian money—or indeed other dirty money. It is important that we tackle this issue head on.

T2. [905668] Paul Blomfield (Sheffield Central) (Lab): The Home Secretary said yesterday that he is open to looking again at the inclusion of international students in net migration targets. He will know that there is strong support for that move on both sides of the House. Will he therefore meet me and other officers of the all-party parliamentary group on international students, prior to the publication of the Migration Advisory Committee review that his predecessor so wisely commissioned?

Sajid Javid: First, it is worth reminding the House that there is no cap on the number of students who can come into the country. I know that the hon. Gentleman knows that, but it is not well known more widely. I do think that this issue is important, and that is why I have committed to take a look at it in due course.

T10. [905676] Andrea Jenkyns (Morley and Outwood) (Con): The people of Morley and Outwood want to see more police officers on the streets. What are the Government doing to recruit more police officers, particularly in West Yorkshire?

The Minister for Policing and the Fire Service (Mr Nick Hurd): We have taken steps that have led to an additional £460 million of taxpayers’ money going into the police system, including another £9.9 million for West Yorkshire, where the police and crime commissioner has said that he will use it to recruit more than 140 police officers and staff—and that is on top of an increase in 2016. I am sure that my hon. Friend will do a great job in holding him to account to make sure that those additional resources are used to the benefit of her constituents.

T5. [905671] Rushanara Ali (Bethnal Green and Bow) (Lab): The Home Office revoked some 40,000 visas from students of the test of English for international communication following the BBC “Panorama” investigation of 2014, and it is estimated that 4,000 to 7,000 of those students were wrongly accused. The Home Secretary gave my right hon. Friend the Member for East Ham (Stephen Timms) an undertaking that he would look at that. Can he update the House and explain whether his Department will have an urgent helpline for those affected and hold a review of the matter?

Caroline Nokes: I thank the hon. Lady for her question. We regard the action that the Home Office has taken in response to information received from the Educational Testing Service as proportionate. However, we are reviewing the position of those who remain in the UK.

T6. [905672] Kate Green (Stretford and Urmston) (Lab): I am sure the Home Secretary will join me in sending condolences following the appalling incident in my constituency last week at a car meet, when a so-called drifting car crashed into spectators, killing one and grievously injuring six others. Will he work with me and colleagues around the country to look at how we may need to strengthen the enforcement mechanisms available to the police and local authorities so that we can curb the spread of those events and stop them being displaced elsewhere?

Sajid Javid: Of course I join the hon. Lady in what she has said, and my thoughts are with all those affected. She is right to raise that issue, and this is a good opportunity to look at it more closely. I will happily discuss it with her.
Dr Sarah Wollaston (Totnes) (Con): Further to the comments on the tier 2 application route and the effect on the NHS—it is working against the best interests of patients—will the Home Secretary consider the impact on areas outside London, the costs to NHS staff of making applications and the cost of their failure, in monetary terms and for patients? Will he also look at the effect on scientists and researchers?

Sajid Javid: My hon. Friend makes a good point. I thank her for the letter that she sent on behalf of the Health and Social Care Committee, in which she made some other excellent points, and I assure her that I am looking at it carefully.

T9. [905675] Mr Barry Sheerman (Huddersfield) (Lab/Co-op): Will the Secretary of State look carefully at policing numbers, particularly in relation to the growth of gang culture in our country, which is linked to knife crime? The police cannot cope without the resources to tackle gangs.

Sajid Javid: Yes.

Vicky Ford (Chelmsford) (Con): I thank the Home Secretary for looking again at the impact of the tier 2 visa cap on doctors. Will he also look at the impact on trainee doctors such as my constituent, who has completed most of his GP specialist training on a spouse visa but, due to a marriage breakdown, now needs a tier 2 visa?

Caroline Nokes: My hon. Friend makes a good point. I thank the right hon. Gentleman for raising that. I was not aware of it, so I am pleased that he has brought it to my attention. I would love to hear the comments of my right hon. Friend the Home Secretary.

Caroline Nokes: Yes.

Caroline Nokes: I thank my hon. Friend for her question. She makes a really important point. I am conscious that it is not only about NHS trusts seeking to bring in doctors from overseas; there are also a number in training and at university who are seeking to gain employment opportunities here. She will have heard the comments of my right hon. Friend the Home Secretary.

Hilary Benn (Leeds Central) (Lab): Some Iraqi Kurds who applied for asylum in the UK in Saddam’s time did so under false names because they were terrified of what would happen to them if they were sent back. It appears that some of them, having been granted asylum, are now having their British passports withdrawn simply because they have told the Home Office what their real name is. Does the Home Secretary think that that is fair?

Sajid Javid: I thank the right hon. Gentleman for raising that. I was not aware of it, so I am pleased that he has brought it to my attention. I would love to hear more, and perhaps he could meet me to see what we can do.

Kirstene Hair (Angus) (Con): As my right hon. Friend will be aware, soft fruit farmers in Angus and across the United Kingdom are gearing up for a busy season. What assurances can he provide to those farmers that they will be able to access the workforce they require, and can he give a timescale for when that will be delivered?

Caroline Nokes: The hon. Lady will have heard an earlier answer, which stated clearly that nobody on a shortage occupation list has been turned away. Both I and the Home Secretary are very conscious of the points that have been made repeatedly this afternoon. We know that there is a real challenge in the NHS accessing trained doctors. The Department of Health and Social Care is doing excellent work to make sure that we increase the number of training places in the UK, but the calls are being heard.

Simon Hoare (North Dorset) (Con): Does my right hon. Friend the Home Secretary agree that the current shopfront advertisements of Lush are clearly anti-police, are in very poor taste and should be withdrawn?

Sajid Javid: People can have legitimate concerns about the so-called spy cops issue, and that is why there is an inquiry, but I very much agree with my hon. Friend. I do not think that Lush should be tarring all police officers with the same bath bomb.

Gavin Robinson (Belfast East) (DUP): Is the Home Secretary aware of the increasing farce besetting Border Force recruitment in Northern Ireland, and will he meet us to consider how best and most fairly we can have exactly the same conditions for Northern Ireland applicants as those that apply in the rest of the United Kingdom?

Caroline Nokes: The hon. Gentleman will be aware that he and others have raised this with me. We have looked very carefully at recruitment processes in Northern Ireland to make sure that there is absolutely no bias, taking into account the Equality and Human Rights Commission’s comments.

Several hon. Members rose—

Mr Speaker: Order. I am sorry, but we must move on.
Personal Independence Payments

3.37 pm

Debbie Abrahams (Oldham East and Saddleworth) (Lab) (Urgent Question): To ask the Secretary of State for Work and Pensions if she will make a statement on the withdrawal of her appeals in relation to personal independence payment claimants with chronic conditions, and what further action she will be taking.

The Secretary of State for Work and Pensions (Ms Esther McVey): I am absolutely committed to ensuring that disabled people and people with health conditions get the right support they need. PIP is a modern, personalised benefit that assesses claimants on needs, not conditions. It continues to be a better benefit than its predecessor, disability living allowance, for claimants with chronic conditions. Under DLA, only 16% of claimants with diabetes received the top rate, whereas under PIP 29% receive the top rate.

I carefully considered these historical cases and decided no longer to continue with the appeals in order to provide certainty to the claimants. Since withdrawing the appeals, I have provided instructions to operational colleagues to put these claims in payment urgently. These claimants will receive any backdated moneys owed, and should receive their first payment within the coming days.

These cases were decided prior to the March 2017 amending regulations—the Social Security (Personal Independence Payment) (Amendment) Regulations 2017—in which the Government clarified our policy for managing therapy under PIP daily living activity 3. These regulations are not affected by our decision to withdraw these appeals.

Debbie Abrahams: Thank you for granting this urgent question, Mr Speaker.

The announcement during the recess that, for the second time this year, the Secretary of State has withdrawn appeals, this time on daily living activity 3 of the PIP assessment—the component on managing therapy or monitoring health conditions—raises serious questions. I would therefore be grateful to the Secretary of State if she told me now how many people she estimates have been incorrectly assessed on the PIP daily living activity 3 descriptor who have either been denied support or have had reduced support.

Will the Department be undertaking a review of past claims relating to this descriptor to identify other claimants who may have been underpaid or denied support? If so, when will the process start and be completed? I am grateful to the Secretary of State for her reassurance that it will take days. Will additional staff be recruited to undertake this process? What assessment has the Department made of the average award to which claimants will be entitled, and when will the payments be backdated to? Will there be an appeal process for PIP claimants who are not contacted by the Department who believe that they should receive back payments? What assessment has she made of the administrative and legal costs to her Department and the public purse?

Given the Secretary of State’s concession in these test cases, does she accept that the changes made in the March 2017 PIP regulations regarding activity 3 are illegal? Given also that there is a review of 1.6 million PIP cases to identify the estimated 220,000 people who have been underpaid with regard to the mobility activity component, will the Secretary of State tell the House how many of the 1.6 million PIP claims have been reviewed to date and when the exercise will be completed? How many of the estimated 220,000 people affected have received back payments to date?

With a record of 69% of PIP decisions being overturned on appeal, it is clear that the assessment process is not fit for purpose. The recent report by the Select Committee on Work and Pensions on the process said that the assessments caused unnecessary stress and anxiety for thousands of people who have been denied support unfairly, as well as wasting public money by sending many decisions back to the courts. When will the Secretary of State get a grip on PIP, and will she immediately stop the reassessment of disabled people with progressive conditions?

Ms McVey: Today’s urgent question was specifically about the cases of AN and JM, on which I have given a decision. For the purposes of clarity, it was not to continue with the court case. Any other issues that the hon. Lady raised are separate, and the question of whether we move on and do other things is not for discussion today. There is a further case under way, and I am sure Mr Speaker would agree that it would be incorrect for me to discuss an ongoing legal case, so I cannot do so. However, for the claimants on whose claims this urgent question was granted, I have, for the sake of clarity, withdrawn the appeal.

We are talking separately about the mobility issue, on which I have given regular updates to the House. We have been working with stakeholders to create new guidance, and we have consulted claimants and stakeholders. We seem to be on schedule for the first payment to go out to them at the start of the summer.

Anna Soubry (Broxtowe) (Con): As the Secretary of State knows, I have written to her about a number of complaints that I have received from constituents about PIP. While it may not be completely on point with the question asked by the hon. Member for Oldham East and Saddleworth (Debbie Abrahams), I would respectfully say to the Secretary of State that my concern is not about PIP, which is a very good benefit, but about Capita in my area and the assessments. I have a constituent with a severe brain injury, who is receiving DLA and other benefits. He was assessed for PIP and got a zero. He then went through the process and, rightly so, got the full amount. I would be happy to discuss that with my right hon. Friend or my hon. Friend the Minister for Disabled People, Health and Work, but we need to look at the assessments.

Ms McVey: I will of course meet my right hon. Friend to discuss this. Over 3 million people have gone for PIP assessments, and while there have been appeals by 9% of them, 4% of those have been overturned. The vast majority of people are receiving awards, and under PIP rather than DLA far more people are receiving higher awards. Under this Government, from 2010 right through to 2022, more money will go to disabled people in need than under DLA in 2010. As I said, I am more than happy to meet my right hon. Friend.
Several hon. Members rose—

Mr Speaker: I call Marsha De Cordova. [Interruption.] Ah, there has been a change of personnel. I was advised that it would be the hon. Member for Battersea. Never mind, I call Margaret Greenwood.

Margaret Greenwood (Wirral West) (Lab): Thank you, Mr Speaker. I congratulate my hon. Friend the Member for Oldham East and Saddleworth (Debbie Abrahams) on securing this urgent question. I was disappointed to hear the Secretary of State be so dismissive of concerns that have been expressed by Members right across the House. For the second time this year, the Secretary of State has made a serious error in assessing claims for personal independence payments. The previous error resulted in potentially 220,000 people being underpaid PIP, causing misery that could and should have been avoided. The Secretary of State now admits a second error, this time relating to activity 3 of the daily living component, “Managing therapy or monitoring a health condition”. The Department has again got the law wrong on interpreting PIP descriptors, leading to perhaps thousands of disabled people not getting the crucial support that they need.

In January, when the DWP last admitted that there had been an error, my hon. Friend the Member for Battersea (Marsha De Cordova) asked the Minister for Disabled People, Health and Work a series of questions that should have been answered but still have not been. If anyone is to have confidence in the Department, the Secretary of State must now answer our questions.

How quickly will the Department be able to identify claimants? Will the Secretary of State publish her criteria for reviewing cases? Will she include the cases that did not originally score sufficient points? Exactly how many claimants have been wrongly assessed for PIP? What assessment has she made of the administrative cost to her Department of undertaking yet another complex exercise? Given that this is the second error in the Department’s interpretation of its own guidance to come to light in six months, what reason do disabled people have to believe that her Department is fit for purpose?

Ms McVeY: This is a brand new benefit that, for the first time, looks not just at people with physical disabilities, but fundamentally at all the disabilities people have—cognitive, sensory, health and mental health conditions—and supports more people than DLA ever did.

Nobody was forced to come here to explain why I did not appeal the mobility case. I made a decision by myself, which I thought was true and in keeping with the fact that we ha ve, I would say, made a positive move of concerns that ha ve been expressed by Members right through the House. For the second time this year, the Secretary of State has made a serious error in assessing claims for personal independence payments. The previous error resulted in potentially 220,000 people being underpaid PIP, causing misery that could and should have been avoided. The Secretary of State now admits a second error, this time relating to activity 3 of the daily living component, “Managing therapy or monitoring a health condition”. The Department has again got the law wrong on interpreting PIP descriptors, leading to perhaps thousands of disabled people not getting the crucial support that they need.

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Jeremy Quin (Horsham) (Con): How many claimants will be affected by this decision, which I welcome? Will my right hon. Friend reassure the House that it will in no way impact on her sterling efforts to ensure that more disabled people find their way into work?

Ms McVeY: My hon. Friend raises several questions about helping disabled people into work. Over the last three years, we have helped more than 600,000 people into work. People will know that PIP is a benefit for those in work and those out of work, and we have helped another 200,000 people in work through PIP. This is what we are about: supporting disabled people who are in work and out of work, and bringing in a more tailored and personalised benefit. What I will say is that if something has gone wrong and if something is not right, we will correct it to make sure that people get the payments they deserve.

Alison Thewliss (Glasgow Central) (SNP): The credibility of this Department lies in tatters. The Secretary of State celebrates the fact that the Government are not appealing this decision, but the fact remains that they had to be dragged through the courts in the first place to be proven wrong.

I have some questions for the Secretary of State. Will she commit to ensuring that the money for the back payments does not come out of existing DWP budgets? When will the first payments be made and will they be fully backdated, so that nobody loses out? Why are decision makers making decisions as if the High Court case never happened? I have constituency cases in which people are being assessed under unlawful criteria and then forced into the appeals process, all of which delays payments to which they are fully entitled and means that they are living in poverty. When will new guidance be issued to Jobcentre Plus staff and claimants, because there is so much confusion out there that nobody is aware of what they are entitled to?

This Department is in no fit state to be undertaking the biggest shake-up of social security this country has ever seen. It is incompetent and failing the most vulnerable in our society, and the Secretary of State must do something about it.

Ms McVeY: I reiterate that under PIP we are supporting more people than before and giving them a higher rate than they ever got before. If the hon. Lady is questioning whether money is being handed out to people who need it now, I ask her to consider how many fewer people were getting that support under DLA, the previous disability benefit. On the mobility component, in respect of which I rightly did not seek leave to appeal, we are supporting an extra 200,000 people—I take it that both sides of the House agree I should be helping an extra 200,000 people. That is what we are doing. That is what we are aiming to do. I think I said earlier that the first payments would be made at the start of the summer; I meant at the end of the summer. As I said, in respect of
the specific cases that gave rise to the urgent question, those concerned will get their first payment in the coming days.

**Vicky Ford** (Chelmsford) (Con): How much money was spent on disability payments in 2010, how much is being spent today, how much will be spent in 2020, and when will the Secretary of State introduce recordings of PIP assessments?

**Ms McVey:** I can tell my hon. Friend that the expenditure has continued to go up and will go up every year until 2022; it has increased from 2010. For PIP, DLA and attendance allowance alone, expenditure is £5.4 billion higher than it was in 2010. There will be future announcements on the continuous improvements for PIP, but I can say now that we want to introduce video recording—that is key—and when we do we will start with pilots to make sure it is right. We want a modern benefit that looks after and reaches out to disabled people and gives them the money they should be getting.

**Sir Vince Cable** (Twickenham) (LD): The Secretary of State has acknowledged that the new benefits are available for a wider range of conditions, including neurological conditions and mental illness. What steps is she taking to ensure that the assessors are fully competent to make these judgments on the wider range of conditions?

**Ms McVey:** We provide consistent training and updating and have mental health champions in place. Of course we constantly review what we do and constantly support our assessors; that is what is needed going forward.

**Stephen Kerr** (Stirling) (Con): It is important to put the urgent question and the comments from the Opposition in context. Will my right hon. Friend confirm that the expenditure is £5.4 billion higher than it was in 2010?

**Ms McVey:** As ever, my hon. Friend. Friend confirm that the Government are spending more than £50 billion on supporting sick and disabled people, and that we spend more in this country on supporting disabled people than any other country in the G7, barring Germany?

**Ms McVey:** We are spending more than £50 billion, and are proud to do so, to support disabled people who need it. This Conservative Government are supporting more people and giving them the higher rate they need, and we will continue to do that.

**Ms Angela Eagle** (Wallasey) (Lab): But the Secretary of State has been dragged to the House by an urgent question to talk about her decision not to pursue the appeal in these cases concerning activity 3 of the daily living component. She has very coyly failed completely to answer the question of how many people her decision affects. We know that 165 million people receive the component—[Interruption.] I mean 1.65 million—it is still a lot. Will she now answer: how many people are affected directly by the decision she took in the recess to withdraw the appeal, when will these people get the right amount of money and when will they be assured that they have not been illegally underpaid?

**Ms McVey:** The urgent question was about two cases in particular. This is about those two cases: it is about two people who were affected, and who will receive their money immediately. We are assessing the position, but that is what the urgent question was about. If Members want to talk about matters outside the scope of the urgent question, that will be for a different occasion and a different day.

**Alex Burghart** (Brentwood and Ongar) (Con): Will my right hon. Friend confirm that she is considering simplifying the PIP assessment forms to make the process of applying for the benefit less stressful for people?

**Ms McVey:** That is correct. As we work with stakeholders, including people with disabilities, we seek to make the process smoother, easier and more beneficial for people in need, and that is exactly what we will be doing.

**Luciana Berger** (Liverpool, Wavertree) (Lab/Co-op): This is not the only PIP case that the Government have lost. On 21 December 2017, the High Court ruled that PIP changes made earlier in the year had been “blatantly discriminatory” against people with mental health conditions, and “cannot be objectively justified”. However, six months later, there is still no confirmed timetable for the full implementation of the High Court’s judgment and the delivery of back payments to the people affected. Will the Secretary of State tell us today—six months on—when that High Court ruling will be implemented?

**Ms McVey:** I have answered that question several times today. As I have said, we have been preparing new guidance and consulting stakeholders on what is best for that guidance and how to work through it. As I have also said, the first payments will be made at the end of the summer. As the hon. Lady will appreciate, having to assess such a number of people will take—and has taken—a bit of time, but the process has been thorough and correct.

**Kevin Foster** (Torbay) (Con): It is interesting to hear criticism of the decision not to carry on fighting with lawyers. It seems that some people would have preferred the Secretary of State to carry on and appeal against the ruling, wasting money on further legal challenge. Will she reassure me, however, that she is considering the recording of the PIP assessment process to provide quality assurance, and to ensure that the points raised by this case are taken up in future assessments?

**Ms McVey:** My hon. Friend is right. As I said earlier, more than 3 million assessments have been carried out, 9% have been appealed against and 4% have been overturned, so it is clear that the vast majority are right. However, we want to ensure as far as we can that all of them are right. If that means recording assessments—and I personally would prefer video recording—that is what we should do, so that everyone can have confidence in what is going on.

**Jim Shannon** (Strangford) (DUP): I thank the Secretary of State for her statement. PIP applicants who are wards of court because, owing to brain injuries, they are unable to make any decisions for themselves must nevertheless go through the application process and are subject to house visits, although, according to the court, they cannot be allowed to make any financial or personal decisions. Is it not time that such people did not have to go through a process that clearly disadvantages them and causes considerable trauma and angst?
Ms McVey: We have a clear process for people who are vulnerable and need extra support during the process. If the hon. Gentleman is thinking of a specific case that he would like to raise with me, I ask him please to do so, so that we can establish what happened in that instance.

Michelle Donelan (Chipping Camden) (Con): Will my right hon. Friend confirm that not only are more people able to claim PIP than were able to claim DLA, but satisfaction has risen, as has been proven by satisfaction surveys?

Ms McVey: My hon. Friend has made a very good point. Satisfaction levels have risen and the number of people receiving this benefit has risen, as has the number of people receiving the highest amount—not that anyone would know that from what we are hearing from Opposition Members.

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): Perhaps the Secretary of State can also explain why brave service personnel suffering from chronic conditions, including PTSD, are being denied access to their PIP entitlements. I have been contacted by a litany of constituents in recent weeks and others supported by the Welsh Veterans Partnership, including my constituent Justin Smith, whose medical discharge documents have been refused by the DWP, while others have been unable to get through on phone lines or are being refused home visits, against DWP guidance. Can the Secretary of State explain what is going on in her Department?

Ms McVey: I want to follow up the specific instances the hon. Gentleman raises, as that does not sound right at all and I would not want that to be the case. I therefore ask the hon. Gentleman to bring those cases forward so that we can look into them immediately.

Tom Pursglove (Corby) (Con): Is there a formal review process in place for assessments that can be responsive to any trends or issues that might arise?

Ms McVey: My hon. Friend raises the good point of how we can make the assessments better: how can we make sure they are consistent and the best we can possibly do? We are constantly reassessing them and trying to make the service even better, whether through videos to help people, improved guidance for GPs and healthcare professionals, improved communications, or special software so that people with disabilities can read about the service. Those are the sort of constant improvements we are carrying out, and we will continue to do that so as to make sure we have the best system possible.

Stephen Lloyd (Eastbourne) (LD): Mr Justice Mostyn in his ruling on Motability, which the Government also accepted, said of the 2017 regulations:

“The wish to save nearly £1 billion at the expense of those with mental health impairments is not a reasonable foundation for passing this measure.”

The Secretary of State has made a welcome second U-turn, so do the Government recognise that not cutting corporation tax might have been a fairer and more honourable way of balancing the books?

Ms McVey: We have not saved any money; let me make that point clear now. We spend more money on PIP, and will continue to do so to 2022—more money every year from 2010 than we ever spent on DLA. If I can dispel the myth that anybody is saving any money through moving from DLA to PIP, that will be the best thing I can do today. This Conservative Government will be spending more on disabled people through PIP from 2010 through to 2022.

Richard Graham (Gloucester) (Con): I welcome the Secretary of State’s announcement today because I do not believe that fighting these cases in court is in the long-term benefit of anyone in this country, so I congratulate her on that. Clearly any of these PIP assessments can be incredibly stressful for our constituents and the system must react when mistakes have been made or situations are difficult. But anecdotally what I am hearing, especially from people with degenerative diseases like MS, is that the PIP system is working better than DLA. Many statistics have been bandied around today, but one statistic is that 30% rather than 15% are now getting the top level of benefit, and that is making a real difference to many individual lives. Can my right hon. Friend confirm today whether the number of assessment appeals is going up or down and whether the percentage of those being accepted as against those being rejected is going up or down?

Ms McVey: I have already given the numbers, which show that we are getting the vast majority right: 9% are appealing and 4% are being overturned. This brand new benefit is a personal and modern benefit, and we are adjusting it so that it meets the needs of a 21st century benefit. That is what we are seeking to do. So for the first time we are looking at mental health conditions and exploring the extra support we can give there. This Government, across all Departments, are spending £11 billion more on mental health, so under PIP 66% are getting the higher daily living rate, whereas the figure for that under DLA would have been 22%.

Clive Efford (Eltham) (Lab): The Secretary of State has failed to say how many people can expect their PIP to be restored as a consequence of this appeal; she said that it will be the two people involved in the two cases mentioned. Will she undertake to come back and make a statement to this House when she has had a chance to research that and tell us which of our constituents can expect to have their PIP reinstated and how many are involved?

Ms McVey: If I did not say it clearly enough at the start, this was an urgent question granted specifically on two cases. There is another case going through the court at the moment, which would be sub judice and I would not be allowed to speak about it at the Dispatch Box—[Interruption.]

Mr Speaker: Order.

Ms McVey: So today, we are discussing those two specific cases and that is what I am talking about. I appreciate that there is a lot of noise from Opposition Members, but they obviously do not understand what sub judice means—[Interruption.]

Mr Speaker: Order. The Government are a party to the case, and I am advised that, strictly speaking, the case is not sub judice—[Interruption. Order. There seems to be a lot of noise and all sorts of naysaying and
unattractive chuntering from a sedentary position. If the Secretary of State wished to go beyond the narrow terms of the urgent question, especially in view of the fact that its wording refers to “further action” by the Government, the Chair would not wish to stand in her way. It is a matter for her to judge. However, there is no need for this cacophony from a sedentary position. It is really rather unseemly, and I feel sure that it will now cease.

Several hon. Members rose—

Mr Speaker: I call the good doctor: Doctor Philippa Whitford.

Dr Philippa Whitford (Central Ayrshire) (SNP): Thank you, Mr Speaker. As has been mentioned, it is six months since the Government agreed to change the position of people suffering from mental health issues not being awarded mobility support. I too have several veterans suffering from PTSD, including one particularly tragic case of a young man who was involved in two explosions on his patrol, where he was covered in blood, diesel and body parts. He has had to sell his car, but he cannot face getting on a bus because the stench of diesel brings on flashbacks. His application for mobility support was turned down. When will the Government bring in the changes and the new guidance so that people can get a fair assessment?

Ms McVey: As I have said throughout, we look to get things right first time, but we have processes in place. If things are not right, there is a reconsideration process, and if that is not right, there is an appeal process. Cases are usually turned around because people bring in extra medical information, and more people are getting the higher rate than ever before. The hon. Lady is quite right, however, that we need to be able to give people the support that they need.

Sir Peter Bottomley (Worthing West) (Con): PIP is of course a valuable benefit, but will my right hon. Friend confirm that the Government are working to ensure that a further 1 million disabled people end up in work?

Ms McVey: My hon. Friend is correct. That is what we are looking to do, and in the last couple of years we have helped 600,000 disabled people into work. We have given extra support through PIP, because that can be an in-work or an out-of-work benefit, and we are also helping through Access to Work. This is about enabling people so that they can live as full a life as possible in society. That is what this Conservative Government are about.

Mrs Madeleine Moon (Bridgend) (Lab): I chair two all-party parliamentary groups: on motor neurone disease and on Parkinson’s. Research conducted by the groups, in conjunction with the charities, on the transition from DLA to PIP has shown that 25% of people with motor neurone disease—a progressive, degenerative, life-ending condition—had a reduction when transitioning to PIP. It also showed that 25% of those with Parkinson’s lost some or all of their benefit, but that 70% of those people had it returned on appeal. How can the Secretary of State say that the system is working when this disaster is being faced by very ill people?

Ms McVey: As I have said throughout, we look to get things right first time, but we have processes in place. If things are not right, there is a reconsideration process, and if that is not right, there is an appeal process. Cases are usually turned around because people bring in extra medical information, and more people are getting the higher rate than ever before. The hon. Lady is quite right, however, that we need to be able to give people the support that they need.

Mr Speaker: If the hon. Gentleman can assure me that he was here at the start of the exchanges, it would be a great pleasure to hear from him.

Sir Peter Bottomley: I was here 10 minutes before questions finished.

Mr Speaker: Excellent. I look forward to hearing from the hon. Gentleman.

Sir Peter Bottomley: It is good that my right hon. Friend can be answering for two individual claimants and that she has given the background about the increase in disability spending. May I also say, “Thank you,” for saying that we can refer to individual cases? I have a victim of the infected blood scandal who is being asked to attend an assessment, but I do not think that an ordinary PIP assessor will actually understand what that person has been through for the past 20 or 30 years. Some such things need to be dealt with far more sympathetically and appropriately.

Ms McVey: We must ensure that we understand the individual circumstances and the extra support that people need. That will come through this modern benefit, which really does acknowledge a wider cohort of disabilities than ever before. That is what we are trying to get right.

Gavin Newlands (Paisley and Renfrewshire North) (SNP): I have spoken to countless constituents who are completely petrified by the PIP process, which causes debilitating stress and anxiety that, in some cases, compounds the effects of their existing condition. When will the Secretary of State go back to the drawing board and come up with a benefit that represents a more humane method of supporting those who need it the most?

Ms McVey: Through the extra guidance, the videos and the support that a companion who accompanies the individual can offer, we need to ensure that individuals do not think that the assessment will be scary or petrifying. We have to calm their nerves to ensure that they go for the assessment to get the money that they need. We have set about making the environment something that they want to go through. Opposition Members do not always help their constituents, because what they sometimes say in the Chamber spreads unnecessary fear.
Diana Johnson (Kingston upon Hull North) (Lab): I may have studied for my law degree a long time ago, but I certainly remember that a case is no longer ongoing when an appeal is withdrawn by one of the parties.

Would the Secretary of State like to explain why so many victims of the contaminated blood scandal who received DLA for life are now being refused the support that they so badly need under PIP?

Ms McVey: Just to clarify, I am talking about two specific cases today. Another case is ongoing, but we will not be talking about that because we are waiting for the decision. They are all linked together, but that is the difference between that case and the other two.

We must ensure that the right people are getting the support that they need, and more people are getting that support. We have a reconsideration process and an appeals process for anybody who wants to query why they are not getting support.

Nic Dakin (Scunthorpe) (Lab): On Friday, a constituent told me that when they received their PIP assessment it did not reflect the truth of the conversation that they had had with the assessor. That happens too often to be just coincidence. What is the Department doing to get proper quality assurance in place, so that we do not have constituents coming forward with the same tale again and again?

Ms McVey: The hon. Gentleman makes a good point. We must have faith in the conversations and assessments, which is why I have looked forward to having them videoed to ensure that we see, hear and know what is going on. If the process is videoed, people will get an honest appraisal of what went on and, equally, we might see a more suitable conversation between the assessor and the individual.

Alan Brown (Kilmarnock and Loudoun) (SNP): On Friday a constituent came to my surgery. It was quite obvious, and he explained to me, that he struggles to function due to a combination of excruciating pain in his shoulders and the severe and heavy pain medication he is on, yet he got zero points for mobility and lost his appeal. Hopefully there is a chink of light at the end of the tunnel for him, but what comfort does the Secretary of State think he will get from her standing and bragging that the Government have not appealed, that more money is being spent and that more people missed out on DLA, because that is not helping my constituent?

Ms McVey: I am sorry if the hon. Gentleman thinks that anybody was bragging. It is known as just putting the facts on the record after people have sometimes sought to provide misinformation or incorrect facts, merely by stating that more people are getting the higher benefits and more people are getting PIP than were getting DLA. That really needs to be heard so that we dispel any myths from the Opposition.

Neil Coyle (Bermondsey and Old Southwark) (Lab): The Secretary of State suggests that PIP is more generous than DLA. Can she confirm that the Department’s analysis shows that, once it is fully rolled out, PIP will support 500,000 fewer disabled people than DLA? Can she confirm that, six months after the Government admitted that a previous mistake on assessments affected 220,000 disabled people, not one of those disabled people is receiving the full benefit to which they are lawfully entitled?

Ms McVey: What we can say is that the reality is that more people are getting PIP than are getting DLA.

Ruth George (High Peak) (Lab): Why does it take the DWP to be staring down the barrel of losing a case in court for it to admit that it is unfairly and illegally penalising disabled people? What will the Secretary of State do to ensure that no further cases have to progress this far, with all the consequent suffering and expense to the taxpayer?

Ms McVey: It was in my first couple of days in this job as Secretary of State that I sought not to appeal the court case. There was no staring down a barrel and no waiting for me; I did it within a couple of days. Why? Because I think we have to live up to what PIP was meant to be and to the people it was meant to support.

When these two court cases were brought to my attention, which was only a couple of weeks ago, I did exactly the same thing. I will look at the cases when they are brought to me, and I will make sure that this Government do the right thing to support the right people the vast majority of the time.

Peter Grant (Glenrothes) (SNP): Following on from those assertions, is the Secretary of State actually telling Parliament that her decision in these cases was not influenced in any way by any legal advice she may have had on the likelihood of losing had the cases gone the full course?

Ms McVey: What I have said is that I saw it on day one, pretty much, of coming into this job. I looked at what I deemed was the correct thing to do, knowing how PIP was brought about, and I made what I felt was the right decision.
US Steel and Aluminium Tariffs

4.18 pm

The Secretary of State for International Trade and President of the Board of Trade (Dr Liam Fox): With permission, Mr Speaker, I will make a statement on the United States’s imposition of steel and aluminium import tariffs.

On Thursday 31 May, President Trump announced that the United States would impose tariffs of 25% on steel imports and a 10% tariff on aluminium imports from the European Union, Canada and Mexico, with which the United States is renegotiating the North American Free Trade Agreement, will be subject to the same tariffs. Although Argentina, Brazil and South Korea have avoided tariffs, those countries agreed to lower exports to the US. The indications are that US imports from those countries will be restricted, in some instances involving quarterly quotas.

For products within the scope of these tariffs, in 2017 the US accounted for 7% of UK steel exports and 3% of UK aluminium exports. Put another way, the UK accounted for 1% of US steel imports and 0.1% of US aluminium imports by tonnage, at a value of £360 million and £29 million respectively.

We are deeply disappointed that the United States has taken this unjustified decision, particularly on grounds of national security. We share a strong defence and security co-operation relationship. As close allies in NATO, permanent members of the UN Security Council and nuclear powers, close co-operation between the UK and US is vital to international peace and security, and other EU states are also key players in transatlantic security co-operation.

As I said the previous time I addressed the House on this issue, these unilateral trade measures have weak foundations indeed in international law, and they are not consistent with the US Department of Defence’s own judgment in an investigation that was conducted on the basis of national security. We believe that the EU should have been permanently and fully exempted from the unjustified measures on steel and aluminium. We will continue to make this case at the highest level, in concert with the EU. Our priorities now are to defend our domestic industries from both the direct and indirect impacts of these US tariffs. The response must be measured and proportionate, and it is important that the United Kingdom and the EU work within the boundaries of the rules-based international trading system. Since the President asked the Department of Commerce to launch the investigations into the national security impact of steel and aluminium imports last April, the Government have made clear on repeated occasions to the Administration the potentially damaging impact of tariffs on the UK and EU steel and aluminium industries. The Prime Minister has also raised her concerns with President Trump. I have spoken on multiple occasions to the Commerce Secretary and US trade representative about the investigation, to the director general of the WTO, Roberto Azevêdo, to the EU Trade Commissioner, Cecilia Malmström, as well as to my colleagues in member states. The Government have worked closely with the EU as part of our unified response. In addition, I assure the House that we have been in regular contact with the UK’s steel and aluminium industries throughout, and the Secretary of State for Business, Energy and Industrial Strategy has convened a steel council, which will take place shortly. I have been in touch with UK Steel throughout, most recently at a meeting in Westminster earlier today.

We remain committed to robustly defending and protecting the UK’s steel and aluminium industries and their employees. The Government will continue to press the US for an EU-wide exemption from these unjustified tariffs. In parallel, UK suppliers will want to encourage their US customers to seek product exemptions via the process that is being overseen by the US Department of Commerce. Tomorrow morning, the Department for Business, Energy and Industrial Strategy will host a meeting with the industry to share information and advice on the product-exemptions process.
UK firms without a presence in the US cannot apply directly for a product exemption, which means that UK firms will need to work with their products’ end users in the US to apply for a product exemption and to gather the relevant data and justification for such an exemption. The Government will support applications made on the behalf of UK industry with representations to the Department of Commerce to process applications for product exemptions as promptly as possible. My Department published an information note on the procedure on gov.uk on Friday.

The Government are committed to free and fair trade, and to the international rules that underpin both. We will seek to promote and protect those rules alongside trade, and to the international rules that underpin both. Our Government will support applications made on the behalf of UK industry with representations to the Department of the US.

When China began dumping its over-production into the European market back in 2015, it was the Secretary of State’s Government who opposed the European Union taking stronger defence measures and who precipitated a crisis for producers in the UK that led to the loss of companies such as SSI and of 1,700 jobs at Redcar. That was not some civil service mistake, but ministerial ideology. That ideology has been confirmed by the Government’s refusal to accept the amendments that Labour tabled to both the customs Bill and the Trade Bill precisely to strengthen the trade defence measures that we could take against such illegal action.

Last week, the Secretary of State’s initial response was to say that he did “not rule out” countervailing measures with our European partners. Did “not rule out” such measures? He should have been demanding them. On the departmental website it says begrudgingly that while we are members of the EU we “must abide by EU trade decisions”.

That hardly sounds like a full-throated and co-ordinated position with our EU trade partners—and no wonder: when the EU recently voted to modernise the trade defence measures available to protect our industries, our Government were one of only two to vote against them. It is no use the Secretary of State saying that the Opposition voted against the Trade Bill and the customs Bill and that that would have left us with no Trade Remedies Authority. We voted against those Bills precisely because they were so weak and ineffective on this matter, and he knows it.

Some 34,000 UK jobs in our steel industry and 3,500 more in the aluminium industry are at risk because President Trump is imposing protectionist tariffs that the rest of the world believes are illegal under WTO rules. He saw him use the same protectionist policies to attack Bombardier in Northern Ireland. This time, he has based the policy on a fundamental lie. He is pretending that the tariffs fall under section 232 of the Trade Expansion Act 1962 and are necessary for the national security of the United States. They are not. The lie is to try to avoid the perfectly correct response that the EU is now making in taking this as a dispute to the WTO, because the WTO is naturally reluctant to rule on what is and what is not member states’ national security.

All our steel producers want is a fair and level playing field on which to compete. They and we acknowledge that there is a real issue of global overcapacity, which brought our industry to crisis point three years ago and threatens to do so again now. That is why there are three issues on which we need absolute clarity from the Secretary of State. First, will the UK give the consent required to trigger the countervailing measures and enable them to come into effect on 20 June? The implication of the statement is that the Secretary of State will, but I ask him to leave no doubt. Secondly, the greatest threat to jobs is perhaps not directly from the loss of trade into the USA as a result of tariffs—the USA only accounts for 7% of our steel and 3% of our aluminium exports. The real danger is from the products diverted from other countries which can no longer export into the US being dumped here. When I first read the statement, I believed that the Secretary of State had made a commitment to agree to strong safeguarding measures to protect against such an influx surge. On careful reading, however, it appears that he may have given himself a get-out clause. He talks of supporting “any safeguard measures required to deal with steel diversion”.

Can he confirm that he will support maximal measures to defend the immediate interests of our steel industry as well as any future trade defence measures that go beyond the lesser duty rule?

Thirdly, the Secretary of State mentioned that the EU filed a dispute at the World Trade Organisation on Friday. Strangely, he did not say that he welcomed that move. He knows that President Trump wishes to undermine the WTO and would prefer to do his trade deals on a bilateral basis using America’s economic might to obtain concessions. Can he confirm that, once outside of the EU, it would be his intention for the UK to continue with a WTO dispute against the US and that he is not minded to succumb to bully-boy tactics for fear of offending the President before a future trade agreement?

We do not want a trade war; most rational people believe that there are no winners in such a war. Only President Trump has said that he believes that he can win one. The UK and the EU must stand up to this behaviour and restore the integrity of the rules-based system. I therefore welcome the upcoming G7 summit and the opportunity that it provides the Prime Minister to press the case with President Trump. Will the Secretary of State assure the House that, however diplomatically embarrassing it may be for Canada as the host country, the UK will insist that this matter be given a high priority on the formal agenda and not relegated to the sidelines? The Prime Minister must persuade other leaders to respond to the fundamental problem of global oversupply as well as the unjustified action of the United States. The 37,500 workers in the UK whose jobs depend on these industries will expect her not to fail them.

Dr Fox: I am grateful to the hon. Gentleman. He is right that there is an issue of global overcapacity and that, as I have said, that must be tackled on a multilateral basis because it cannot be effectively tackled on a
bilateral basis with the use of tariffs. That will not be a successful way of dealing with it. What it has resulted in is a great deal of energy being spent on blue on blue activity, rather than on dealing with the issue at source. However, he is wrong about the support to the steel industry. As of 8 November 2017, the Government have, for example, paid more than £207 million in compensation to the steel sector as an energy-intensive manufacturer.

The hon. Gentleman is also wrong about the Opposition’s vote against the Trade Bill. They voted against not the provisions of a Trade Remedies Authority, but the setting up of a Trade Remedies Authority, which would have meant that we had no defence whatsoever. He is wrong about another matter, too. The American President was not involved in the Bombardier dispute. That was a commercial dispute brought by Boeing and nothing to do with the US Administration. However, the hon. Gentleman is right on the precedent of national security. The problem with using national security, as has been done in this case through the section 232 mechanism, is twofold: first, if the United States were successful, it would set a precedent for others to do the same and to use national security as a pretext for protectionism; and, secondly, it leads the WTO into the realms of having to determine what is, and what is not, acceptable as a definition of national security. That is something that the WTO has always shied away from.

When it comes to the countermeasures, we will still want to see what the measures themselves are. Specifically, we have been talking to the Irish Government about the issue of bourbon being on the list because of the potential implications for the Scotch whisky industry and the Irish whiskey industry. We will want to continue those discussions with the Commission.

I made it very clear that we will have whatever safeguards are required. I do welcome the WTO dispute. If we are talking about the need for an international rules-based system, it is the appropriate mechanism for us to show our displeasure and that is the correct route for us to go down. Once we have left the European Union, I hope that we will have no problems with a UK exemption.

Mr Jacob Rees-Mogg (North East Somerset) (Con): Will the President of the Board of Trade confirm that we are obliged not to seek an exemption for ourselves because of the duty of sincere co-operation, and that we are obliged not to seek an exemption for ourselves? Does he share my concern that tit-for-tat retaliation is not in the national interest. the country that imposes it, and going tit for tat is therefore not in the national interest.

Stephen Gethins (North East Fife) (SNP): In spite of what the International Trade Secretary says, so much for the special relationship and the special treatment that the Government were seeking from President Trump. Coming hard on the heels of the weekend’s report that the Government are preparing for a Brexit armageddon, the chickens are truly coming home to roost for Brexiteers, who have had years to prepare for their big moment. But this has an impact on all of us, and the Scottish Government were left to secure steelworks in Lanarkshire. Will the Secretary of State tell us what discussions he has had with the Scottish Government and the industry in Scotland? His statement shows just how important the European Union is in these matters. Does it not make more sense to remain close to those who are closest to us economically and politically in Europe, and stay part of the customs union?

Dr Fox: The answer to the hon. Gentleman’s last question is no. The Minister for Trade Policy has been in touch with the Scottish Government in the past few days to discuss the wider impacts on the industry. I have made it very clear that we regard this as a UK-wide issue. The UK Government will take whatever measures are required, including safeguarding, to protect the whole UK steel industry.

Mr Philip Dunne (Ludlow) (Con): First, I applaud the Secretary of State for focusing in his statement on how unfortunate it is that the United States has used national security as its excuse for this tariff measure. It is particularly ironic given a number of US-UK treaties under which specialist steel products are made available to the United States specifically to assist in its national security. May I encourage him to look at securing a product exemption for those products as soon as possible?

Secondly, as the Secretary of State and his colleagues are aware, Bridgnorth Aluminium in my constituency is one of the largest aluminium manufacturers in this country; 20% of its exports go to the United States, as it provides a product that is not manufactured there. The United States is hurting itself with this measure. The company not only fears that the increase in price due to the tariffs on that product will have an impact on demand, but is particularly concerned about the displacement factor from incoming Chinese imports.

Dr Fox: My hon. Friend, who knows a great deal about this subject from his time as a Defence Minister, is absolutely right. We will be looking at the displacement issue very closely to see whether safeguards are required for aluminium as well as steel. He is right about Bridgnorth in his constituency, which exported £21 million of products to the US in 2017. The irony is that the only potential competitor in that particular market is Alcoa in Warrick, Indiana, which has shown little, if any, interest in it. This situation can only lead to damage to US customers at the other end.

Angus Brendan MacNeil (Na h-Eileanan an Iar) (SNP): As Chair of the International Trade Committee, may I take this opportunity to thank the Secretary of State for his courteous phone call to me at the end of last week without any measures actually having been applied to the United Kingdom, we would have been in breach of WTO law. It is a Catch-22.
outlining the situation that he found himself in? These tariffs stem from the very weird belief of the US President that if the US has a deficit with anyone, it is a result of unfair trading. Given that just about any two sets of nations find themselves in surplus or deficit with each other at times, there would be global trade chaos if the rest of the world were to follow his example. Meanwhile, how confident is the Secretary of State that the UK can legally take safeguarding trade defence measures if it finds itself out of the EU in March 2019, and that a trade remedies authority will be in place? My Committee has concerns about that, as I am sure he knows.

Dr Fox: I am very grateful to the hon. Gentleman for his comments. He is right that we have to have the TRA up and running. As he knows, we have now advertised for the most senior appointments and agreed its setting in Reading.

On the wider economic issue, the hon. Gentleman is absolutely correct. It is impossible, in an open and free trading system, that all economies will be in balance with one another. Surpluses and deficits are part of the allocation of resources that happens inside a free market. Were we all to aim for a trade policy where everybody was in balance, it would not be a free trading system. Apart from anything else, consumers would soon feel the detrimental effects of such a system.

John Howell (Henley) (Con): Picking up on that point, will not a system of retaliatory tariffs hurt consumers more than anything else, and will it not be ordinary workers who suffer? Is the Secretary of State as concerned about that as I am?

Dr Fox: As my hon. Friend knows from being a trade envoy to Nigeria, it will not just be those in developed countries who feel the effects if this has a slowdown impact on the global economy. If we have tariffs, countermeasures and then measures against the countermeasures, it is very easy to see how the situation could ramp up into a global trading disaster. We need to try, in the time ahead, to get the United States Government to change their mind—to listen to the voices coming from American business and the American Congress about the damage that may ultimately be caused inside the American domestic economy.

Caroline Flint (Don Valley) (Lab): I would be really interested to know what arguments the Secretary of State thinks are going to work with the Americans. Last time there was a trade war like this, some 200,000 jobs were lost in the United States. What efforts is he already making to identify and analyse the impact on the US economy? It seems to me that that is the biggest argument we can use.

Dr Fox: The right hon. Lady is absolutely correct that if we are to get a change in US Government policy, the most effective pressure will come from US business and the US Congress. I was very heartened to hear Chairman Brady of the Committee on Ways and Means making exactly these points yesterday—if American input prices rise, output prices will rise, and that is likely to hinder, not help, the problem with the American trade deficit. I hope that our colleagues in Congress will listen to the views being expressed clearly on both sides of the House and make those points accordingly.

Richard Graham (Gloucester) (Con): When there was a sharp exchange on trade between China and the US recently, it was resolved surprisingly quickly. Does my right hon. Friend see that there are possibilities for a similarly swift resolution to this? If there are not, how confident is he that our voice in the EU will be able to prevent the EU from taking strong retaliatory measures and getting into the spiral of trade wars that he has described?

Dr Fox: The EU’s measures are designed to be proportionate and legal so that we can make the case that we have responded to what we believe to be legally dubious moves in a properly legal way, through the rules-based system. That is the appropriate way to go. I do not believe that the EU tariffs are escalatory, and it would be hugely unfortunate if further moves in that direction were made by either the United States or Europe.

Anna Turley (Redcar) (Lab/Co-op): In 2002, similar retaliatory action was organised by the EU and had quite a profound effect on getting the US to drop the tariffs. Does the Secretary of State therefore wholeheartedly support the action that the EU is taking, and also the route through the World Trade Organisation?

Dr Fox: The potential countermeasures that the European Commission is setting out fall into two groups in their timing, and it is entirely possible that all or a smaller number of those measures could be put in place. I hope that the flexibility that is being shown in both the timing and the scope of their application lets the United States understand that the European Union is keen to have an agreement. It is keen not to rush into countermeasures, but to give the American Administration time to have second thoughts, which I think would be beneficial to all.

Mr Peter Bone (Wellingborough) (Con): I think everyone will welcome the fact that the Secretary of State has come to the House at the earliest opportunity to make a statement. The European Union is justifiably outraged by the imposition of tariffs, but if we were to leave the European Union without a deal, why on earth would the EU want to impose tariffs on us?

Dr Fox: I know that opinions on Brexit are very strong, but with all due respect, we cannot see every global economic issue through the prism of Brexit. This action has been taken against what we believe to be WTO rules. It affects the European Union as much as it affects Canada and Mexico, which have economies of a very different size, and it is because of unilateral action taken by the United States. It therefore requires a proportionate response by all the countries affected, through the WTO mechanism. We have to show that we, at least, show respect for that rules-based system.

John Mann (Bassetlaw) (Lab): I cannot believe what I am hearing. It is a good job that steelworkers and steel communities have not waved the white flag when they
have been called upon repeatedly to defend our shared values with the US over the past 100 years. We cannot give in to this. The only language that Trump understands is people fighting back. It is about time that this country fought back. We can do it. Trump likes golf—let us bring in some tariffs on golf course owners in Scotland and stand up for our steel communities and steelworkers, instead of this rubbish about not being able to do anything about it. We should fight him.

Dr Fox: There are two interesting points to make on that tirade of nonsense. First, we do not have the legal authority in the United Kingdom on our own, because the European Union is responsible for this issue on our behalf. When we leave the European Union we will have greater freedom, but I say to the hon. Gentleman in all seriousness that escalation is not what we require. We need a proportionate response, made calmly, giving the United States time to reflect and change its mind. This is about getting the right result, not the right rhetoric.

Angus Brendan MacNeil: Put him in the bunker!

Mr Speaker: Order. The hon. Member for Na h-Eileanan an Iar (Angus Brendan MacNeil) is chuntering from a sedentary position about putting something in a bunker. I am not going to comment on that. It is not for me to pronounce on the merits or demerits of the matter, but I simply say, with due affection to the hon. Member for Bassetlaw (John Mann), that it is always interesting to hear from him on the golfing situation, and we have done so today.

Sir Desmond Swayne (New Forest West) (Con): How realistic was it to have expected a concession on steel notwithstanding our having publicly announced our intent to undermine US security policy and trade policy on Iran?

Dr Fox: I do not think that those issues are remotely related. It has been clear from the presidential election campaign onwards that the President has concerns about the US steel industry and global overcapacity. We do not disagree with the analysis of the problem; we disagree with the remedy being applied.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): Does the Secretary of State not worry that future generations will look back on him and the group of people who pulled us out of Europe as the real villains of the piece? Is it not a fact that the promise that we would give up control and trade deal with the countries that the European Union has no more protected us from than Mexico or Canada. The right hon. Lady will notice that being a member of the European Union is responsible for this issue on our behalf. When the US Steel and Aluminium Tariffs US Steel and Aluminium Tariffs imposition of US tariffs is rash, probably illegal and with a very wide definition. What work can be done with the WTO to get a better definition of what national security actually encompasses?

Dr Fox: My hon. Friend raises an important point. In fact, the WTO has always shied away from this territory because of the implications it could have, even potentially for the integrity of the WTO itself. It is better that we find a better way to deal with the oversupply in the steel market and that no one tries to use the national security route as a remedy, because as I said, if the United States were to be successful in using it, what would stop other countries doing exactly the same on protectionist measures when it suited them?

Yvette Cooper (Normanton, Pontefract and Castleford) (Lab): Is not the gist of the International Trade Secretary’s position that the US is behaving outrageously—with illegal, protectionist tariffs—so he is working with our EU partners to build a strong, sensible response with the collective weight of the EU, yet he also wants to rip up the customs and trade deal with the countries that agree with us in exchange for a future, potential trade deal with a country that clearly does not agree with us? When he said last year:

“I want the UK and USA together to lead the world as shining beacons of open trade”

was that a complete and utter fantasy?

Dr Fox: The United States has long been at the forefront of leading global free trade, including in setting up the WTO itself. That is why we find it so disappointing that the current Administration should take this particular route and try this particular remedy for the problem. The right hon. Lady will notice that being a member of the European Union has no more protected us from these tariffs than Mexico or Canada.

Michelle Donelan (Chippenham) (Con): The UK produces some very high-value steels, some of which cannot be sourced in the US. What more can we do to promote British manufacturing overseas?

Dr Fox: My hon. Friend makes a very interesting point. Not only do we send some very high-end steel to the United States, but some of it is steel that the United States itself does not manufacture. For end users in the United States, that will actually increase the price of a product they do not manufacture domestically, which cannot have anything other than adverse economic consequences. That is why it is very important, as I have said, that the voices of US industry and of those in Congress make their views very clear about the potential damage that this will pose, as Chairman Brady has said, to American families and jobs.

Tom Brake (Carshalton and Wallington) (LD): The imposition of US tariffs is rash, probably illegal and certainly self-defeating. Is the Secretary of State still confident that the UK can get a better deal with a protectionist United States after the UK has left the EU than we could with the European Union? Does he agree with me that if the US continues to act like a rogue state, we may reach a point where it needs to be suspended from the G7?
Dr Fox: Even for a member of his party, for the right hon. Gentleman to refer to the United States as a “rogue state” gives us pause for thought. With this particular measure, we think the US has behaved in a way that has a very poor basis in law and does not have any justification in national security. However, treating the United States in the way he suggests would be quite wrong, and it does a great deal to explain why his party has such a small representation in this House.

Stephen Kinnock (Stirling) (Con): My right hon. Friend the President of the Board of Trade mentioned in his statement that the industry will gather at the Department for Business, Energy and Industrial Strategy tomorrow morning. What form of support will BEIS be offering UK companies, especially those that do not have a US presence, in order to secure exemptions for their products?

Dr Fox: My right hon. Friend the Business Secretary felt it would be of the greatest benefit to those in the industry to have them in and to have experts, including legal experts, talk them through the product exemption system. The product exemption system does not require a presidential agreement; it occurs at the level of the Department of Commerce. Knowing how the system works and being able to access it efficiently is of prime importance.

Stephen Kinnock (Aberavon) (Lab): As has already been said, when President Bush introduced similar tariffs in 2002, it led to the loss of 200,000 American jobs through the steel supply chain. What steps is the Secretary of State specifically taking to influence Congressmen and women from the states that will be most affected this time, because that surely is the point of leverage through to the White House? Will he come to speak directly to the all-party group on steel and metal related industries to explain those steps in detail?

Dr Fox: I would be happy to do so. I was in the United States and visited a number of our congressional colleagues just two weeks ago. It is worth pointing out that there are 142,000 steel workers in the United States, but there are 6.5 million workers who depend on steel as part of their business, so either reductions in supply or increases in cost are likely to have a domestic effect. Again, I urge all Members of the House with links to either party in Congress to use those links to point this out—that history repeating itself would indeed be tragic for everybody concerned.

Chris Elmore (Ogmore) (Lab): At present, half of UK steel exports are sent to the EU. In the light of the US decision to impose tariffs, it is highly likely that the steel industry in the UK will become more reliant on the European Union. Will the Secretary of State make representations to Cabinet to agree that Britain should remain within a customs union? If he will not do so, why not? It is the best way to protect steel industry jobs, including in Port Talbot—many members of the workforce live in my constituency.

Dr Fox: No, I will not do that. I believe that a customs union gives us greater trading relationships with some at the expense of greater trading relationships with others. As the International Monetary Fund has pointed out, 95% of global growth in the next 10 to 15 years will be outside continental Europe, so to tie ourselves into a customs model with the slowest growing part of the global economy would be very unwise.

Ruth Smeeth (Stoke-on-Trent North) (Lab): What is the Secretary of State doing to ensure that this attack on our steel sector will not lead to retaliatory attacks on ceramics?

Dr Fox: The hon. Lady makes a useful point that reflects the one made by my hon. Friend the Member for Horsham (Jeremy Quin) about using national security as a pretext. If that were a successful exercise, there would be nothing to stop other sectors being involved or, indeed, to stop other countries doing exactly the same thing, which is why, at the risk of repeating myself, we must try to have common sense prevail before there is any escalation, which could be very damaging to economies on both sides of the Atlantic.

Nic Dakin (Scunthorpe) (Lab): Everyone knows that you have to stand up to bullies, not roll over and have your tummy tickled. I am really pleased that the Secretary of State is making it clear that he will support the leadership of the European Union on this matter so that robust and proper action is taken, as it was in 2002, which led to the US backing down. Will he talk to his colleagues across Government so that we can use this moment to introduce a steel sector deal to show confidence in the steel industry in the UK?

Dr Fox: The Under-Secretary of State for Business, Energy and Industrial Strategy, my hon. Friend the Member for Watford (Richard Harrington), will have heard what the hon. Gentleman said. Again, I make the point that we have set out a reasonable and proportionate response. There is no point escalating rhetoric; there is no point escalating the terms of this dispute. We should use the time available before the imposition of countermeasures to go back to the United States and say, “You still have time to think again, to stop history repeating itself or to stop economic effects that can only be detrimental in the United States and beyond.”

Jonathan Edwards (Carmarthen East and Dinefwr) (PC): Following the tariffs on steel and aluminium, it is reported that the US Secretary of Commerce is now looking at the car industry, again on national security grounds. What analysis has the Department undertaken of what other sectors may fall victim to President Trump’s protectionist strategy?

Dr Fox: It is very difficult to say. Again, we contend that the mechanism itself is flawed. It is hard to see how an Aston Martin could be a threat to US national security, even if fully James-Bonded.

Helen Goodman (Bishop Auckland) (Lab): Will the Secretary of State stop talking as if President Trump is amenable to reasonable arguments? This is a deliberate attack on multilateral institutions and the international liberal order. It is evident from the proposal reported in the Financial Times this morning that the American Administration do not even want to appoint judges to the World Trade Organisation court, so will the Secretary of State support urgent EU retaliatory measures?
Dr Fox: I do not believe that it is an attack on the international order. That is far too hyperbolic. It is a response to an understandable concern about the over-production of global steel and the effect that that can have in the United States, including on US steelworkers, but made in an inappropriate way. We believe that the best approach is on a multilateral basis, through the G20 steel forum, but if the United States insists on applying these measures we will apply countermeasures. We believe that the rule of international law must be upheld.

Gareth Snell (Stoke-on-Trent Central) (Lab/Co-op): The Secretary of State’s words so far have not given me comfort and I am sure that the ceramics workers in my Stoke-on-Trent constituency will have similar concerns. Countermeasures and potential retaliatory countermeasures from the US would do untold damage to the ceramics industry. One way in which the Secretary of State could help domestically to fortify and strengthen the industry would be to talk to his Cabinet colleagues about bringing help to define and identify new markets for top-end UK ceramics to guarantee the prosperity and jobs in the industry. That is far too hyperbolic. It is a response to an understandable concern about the over-production of global steel and the effect that that can have in the United States, including on US steelworkers, but made in an inappropriate way. We believe that the best approach is on a multilateral basis, through the G20 steel forum, but if the United States insists on applying these measures we will apply countermeasures. We believe that the rule of international law must be upheld.

Dr Fox: There are two things that we can do. We can help to define and identify new markets for top-end UK ceramics to guarantee the prosperity and jobs in the sector. We can also make sure that we have a trade remedies authority of our own that is able to guarantee the measures that are needed. Of course, the hon. Gentleman voted against the establishment of exactly that.

Paul Blomfield (Sheffield Central) (Lab): It is steelworkers who are on the frontline in terms of the risk from the direct and indirect impacts of the tariffs. Will the Secretary of State outline what discussions he has had with their trade unions to address their concerns?

Dr Fox: We have had discussions across the whole steel industry. However, the hon. Gentleman is not exactly right. He is correct that steelworkers will be on the frontline, but they would not be the only ones affected. The problem is that there will be knock-on effects across the whole economy. As countermeasures are applied, more sectors will become involved as a consequence of the dispute. Therefore, it is in the interests not just of the steel industry, although it clearly is at the forefront of this battle, but of all our industries and all our consumers that we bring an end to what could otherwise be a very tragic episode in global trade.

**Rail Timetabling**

5.1 pm

The Secretary of State for Transport (Chris Grayling): I am pleased to take the earliest opportunity to update the House on the recent difficulties around the timetable changes, in particular on some GTR and Northern routes.

I want to be absolutely clear: passengers on these franchises are facing totally unsatisfactory levels of service. It is my and my Department’s No. 1 priority to make sure that the industry restores reliability for passengers to an acceptable level as soon as possible. I assure the passengers affected that I share their frustration about what has happened, and that I am sorry that this has taken place.

The timetable change was intended to deliver the benefits to passengers of major investments in the rail network, meaning new trains, including all trains on the Northern and TransPennine Express networks, being either new or refurbished; the great north rail project infrastructure upgrades worth well over £1 billion, such as those at the Ordsall Chord and Liverpool Lime Street; and in the south-east, through the Thameslink programme, new trains and improved stations, including London Bridge and Blackfriars.

The huge growth in passenger numbers in recent years demanded expanded routes, services and extra seats, but this timetable change has resulted instead in unacceptable disruption for the passengers who rely on these services. The most important thing right now is to get things back to a position of stability for those passengers, but it is also vital to understand what has happened and why we are in the situation we are in today. The circumstances of the failures are different on the Northern and GTR networks.

The investigations that are being carried out right now are providing more information about what has gone wrong, but it is worth being clear that the industry remained of the view until the last moment that it would be able to deliver the changes. That is the bit that everyone will find hard to understand and it is why there has to be a proper investigation into what has taken place.

On Northern, which is co-managed through the Rail North Partnership by Transport for the North and my Department, early analysis shows that the key issue was that Network Rail did not deliver infrastructure upgrades in time, in particular the Bolton electrification scheme, with damaging consequences. This forced plans to be changed at a very late stage, requiring a complete overhaul of logistics and crew planning. The early analysis also shows that on GTR’s Thameslink and Great Northern routes, the industry timetable developed by Network Rail was very late to be finalised. That meant that train operators did not have enough time to plan crew schedules or complete crew training, affecting a range of other complex issues that impact on the service on what is already a highly congested network.

It is also clear to me that both Northern and GTR were not sufficiently prepared to manage a timetable change of this scale. GTR did not have enough drivers with the route knowledge required to operate the new timetable. Neither Northern nor GTR had a clear fall-back plan.
[Chris Grayling]

In GTR’s case, the process of introducing the new timetable has been overseen for the past two years by an industry readiness board, comprising some of the most senior people in the industry, which told me it had been given no information to suggest the new timetable should not be implemented as planned, albeit with some likely early issues as it bedded down. This body was set up specifically to ensure that all parts of the rail network—Network Rail, GTR, other train operators—were ready to implement these major timetable changes. It should have been clear to it that some key parties were not ready. It did not raise this risk.

The Department received advice from the Thameslink readiness board that, while there were challenges delivering the May 2018 timetable—namely, the logistics of moving fleet and staff—a three-week transition period would allow for minimal disruption. My officials were assured that the other mitigations in place were sufficient and reasonable. Indeed, as few as three weeks before the timetable was to be implemented, GTR itself assured me personally that it was ready to implement the changes. Clearly this was wrong, and that is totally unacceptable.

The rail industry has collectively failed to deliver for the passengers it serves. It is right that the industry has apologised for the situation we are currently in and that we learn the lessons for the future, but right now the focus should be on restoring the reliability of its service to passengers. This morning, I met again with chief executives of Network Rail, GTR and Northern—the latest in a series of meetings that I and my Department have been holding with these organisations—and the rail Minister has today been to Network Rail’s control centre at its Milton Keynes headquarters. We have made it clear to them all that the current services are still not good enough. I have also demanded that Network Rail and the train operator work more collaboratively across the industry to resolve the situation, where necessary by using resources from other train operators to support the recovery effort. Officials in my Department are working around the clock to oversee this process. We have strengthened resources in both the Department and Rail North Partnership, which oversees the Northern franchise, to hold the industry to account for improving services.

I would like to be able to tell the House that there is an easy solution or that the Department could simply step in and make the problems passengers are facing go away—if there were a way of doing so, I would do it without a moment’s hesitation—but ultimately the solution can only be delivered by the rail industry. These problems can only be fixed by Network Rail and the train operators methodically working through the timetable and re-planning train paths and driver resourcing to deliver a more reliable service. It is for such reasons that I am committed to unifying the operations of track and trains, where appropriate, to ensure that we do not encounter such problems in the future.

Northern Rail has agreed an action plan with Rail North Partnership that is focused on improving driver rostering so as to get more trains running as quickly as possible by rapidly increasing driver training on new routes; providing for additional contingency drivers and management presence at key locations in Manchester; and putting extra peak services into the timetable along the Bolton corridor. Work on this action plan has been under way for some time. They have also published temporary timetables that will be more deliverable and will give passengers much more confidence in the reliability of their service. This will mean removing certain services from the new expanded timetable while still ensuring an improvement in the total number of services run by Northern compared with before the timetable change. Alternative arrangements will be made for passengers negatively impacted by the changes. I believe that this temporary measure is necessary to stabilise the service and enable improvements to be introduced gradually.

On GTR, there are more services running on a day-to-day basis today than before the timetable change, while Southern and Gatwick Express services are performing well on some routes but not all. GTR is not currently able, however, to deliver all planned services on Thameslink and Great Northern routes. In order to give passengers more confidence, it is removing services in advance from its timetable rather than on the day and reducing weekend services to pre-May levels. These measures will be in place until a full re-planning of driver resourcing has been completed.

I would like to make it clear that, while I expect to see stable timetables restored on both networks in the coming days, I expect the full May timetable and all the extra trains to be introduced in stages over the coming months to ensure it can be delivered properly this time. Once the full service is operating on GTR, 24 Thameslink trains will run through central London every hour, and by next year, 80 more stations will have direct services to central London stations such as Farringdon, City Thameslink and Blackfriars. There will also be 115 new trains and more than 1,000 new carriages providing faster, more frequent and more reliable journeys for passengers.

On Northern, the great north rail project, an investment of well over £1 billion in the region’s rail network, will enable by 2020 faster and more comfortable journeys as well as new direct services across the north and beyond. By 2020, the train operators, Northern and TransPennine Express, will deliver room for 40,000 extra passengers, and more than 2,000 extra services a week.

That, however, is the future. What matters now is restoring a stable service for passengers today. I completely understand their anger about the level of disruption that the timetable change has caused in recent weeks. There must, of course, be a special compensation scheme for passengers on affected routes on both GTR and Northern. In the case of Northern, the scheme will be subject to agreement with the board of Transport for the North, although I doubt that the board will have a problem with it. The purpose of the scheme, which will be introduced and funded by the industry, will be to ensure that regular rail customers receive appropriate redress for the disruption that they have experienced. The industry will set out more details of the eligibility requirements, and of how season ticket holders can claim, but I think it is very important for passengers—particularly in the north, where disruption has been protracted—to be given entitlements similar to those conferred by last year’s Southern passenger compensation scheme. Commuters in the north are as important as commuters in the south, and they should receive comparable support.

It is clear to me that, aside from Network Rail’s late finalisation of the timetable, GTR and Northern were not sufficiently prepared to manage a timetable change...
of this scale, so today I am also announcing that work has begun to set up an inquiry into the May timetable implementation. It will be carried out by the independent Office of Rail and Road, and chaired by Professor Stephen Glaister. It is necessary to have a full inquiry, and Professor Glaister will lead one. The inquiry will consider why the system as a whole failed to produce and implement an effective timetable. Its findings will be shared as early as possible with me and with the rail industry, so that lessons can be learnt in advance of future major timetable changes. The final report will be published by the Office of Rail Regulation by the end of the year, but I want to see initial responses much sooner than that.

In parallel with the inquiry, my Department will assess whether GTR and Northern met their contractual obligations in the planning and delivery of the timetable change. It will consider whether the issues could have been reasonably foreseen and different action taken to prevent the high levels of disruption that passengers are experiencing.

In GTR's case, the assessment will cover whether the operator had sufficient resources and skills to deliver the new timetable and whether drivers could have been trained in a faster and more effective way, and will examine the contingency and risk management arrangements currently in place. If it is found that GTR is materially in breach of its contractual obligations, I will take appropriate enforcement action against it. That will include using the full force of the franchise agreement and my powers under the Railways Act 2005, and consideration of how such a failure affects GTR's eligibility to hold a franchise bidding passport. In the case of Northern, my Department will assess the operator's planning, risk assessment and resilience in preparing for the May timetable change. Bearing in mind Network Rail's failure to deliver infrastructure on time, we will hold the operator to the terms of its contractual obligations.

I will not be afraid to take enforcement action when it is necessary, but it is right to go through the process of the inquiry and to understand where fault truly lies. I will not hold back from taking appropriate action if the review finds that there has been negligent behaviour.

Given the importance that Members throughout the House ascribe to these issues, I have arranged for both Northern and GTR to come to the House this week to discuss with colleagues any specific issues that they wish to raise with the operators. I am also meeting Members on both sides of the House today to discuss the issues with them. I am incredibly frustrated that what should have been an improvement in services for passengers has turned into significant disruption, and I am sorry about the levels of disruption that passengers are experiencing. I am also sorry for the staff members who have been caught at the sharp end of these changes.

There clearly have been major failures that have led to the situation that we are in today. I am clear about the fact that the industry must and will be held to account for this, but my immediate priority is to ensure that we improve train services to an acceptable level as quickly as possible, and that will remain my priority.

5.14 pm

Andy McDonald (Middlesbrough) (Lab): I am grateful for advance sight of the Secretary of State's statement—for once. Here we go again, with yet another chapter in the never-ending story of our troubled railways. Not only have train timetables been turned upside down, but the Transport Secretary seems to have run into his own timetabling problems in meetings with Members today.

It is said that Henry Kissinger once asked who he should call if he wanted to speak to Europe. The answer was not clear. Similarly, I would ask who I should call if I want to speak to the UK rail industry. Therein lies the heart of today's problem and the whole rail debate more generally: no one will take responsibility for Great Britain's rail industry. But, amid all the clamour, recriminations and buck-passing that characterise discussions about rail there is one person who is ultimately responsible: the Secretary of State for Transport, the right hon. Member for Epsom and Ewell (Chris Grayling). But he blames Network Rail for the timetabling failures. Yes, Network Rail has not delivered, but he seems to forget that, as a company limited by guarantee, Network Rail has one member: the Secretary of State for Transport—him. He is the man in charge—allegedly. The right hon. Gentleman might want to blame Network Rail, but it is he who has failed in his responsibility to oversee it; the buck stops with him. What is more, the right hon. Gentleman has burnt his bridges with the leadership of Network Rail, which can only have damaged his oversight of this process. Is not this a terrible failure of him and his role atop the system?

The Northern Rail and Thameslink contracts were awarded by the right hon. Gentleman's Department to private operators. It is the job of his Department to ensure that the companies fulfil their contracts. Arriva and GTR have had years to prepare for these timetable changes; neither have trained enough drivers to deliver the timetable changes, yet the Department has failed to hold the companies to account. Can the right hon. Gentleman confirm that it is within the franchise agreement for Arriva to report directly to him on progress in recruiting and training drivers? Does not the buck, once again, stop with him?

GTR even had its own readiness board to implement the timetable changes, except that it was not ready; we could not make this up. Chris Gibb's report on Southern exactly a year ago highlighted the issue of driver numbers as a major operational issue within rail. Why did the Secretary of State not take the report as an alert to review the availability of the train drivers who were needed across the country and do something about it? He says the Office of Rail Regulation will report on the failings by the end of the year, but, with the new timetable due in December, this will be too late. What confidence can we have that it will not be another shambles? Is not the reality that this Secretary of State has been asleep at the wheel and this is just the latest episode in a series of rail management failures on his watch?

The right hon. Gentleman is determined to cling on to the micromanagement of the railway when it suits him, but he will quickly point the finger of blame when things go wrong. He cannot have it both ways. The Secretary of State says he is sorry for the disruption passengers are facing. That is not good enough; he should apologise to passengers for his failures that have put their jobs at risk and played havoc with their family life.

The travelling public and the rail industry have no faith in this Transport Secretary to fix this situation. Were the Prime Minister not so enfeebled, she would
sack him. If he had any concept of responsibility, he would resign. The Transport Secretary should do the right thing and step aside.

**Chris Grayling:** I was rather expecting the hon. Gentleman to say that, and I respond simply by saying that it is my job to make sure that the problem is fixed, and that is what I intend to do. But the Opposition cannot have it both ways: half the time the hon. Gentleman is saying to me that the Government should run the railways, but when something goes wrong he says that it is the Government’s fault that we are not running the railways properly. They cannot have it both ways.

There are two specific points. On what we are going to do about the timetable in December, I have been very clear in the letter I sent to all colleagues last week that we are not going to do a major change of this kind again in the way that has happened in the last couple of months; it must be done in a more measured and careful way. We are already doing work now on how that timetable change should happen—how it should be modified—and the incoming chief executive of Network Rail, Andrew Haines, who I think will bring enormous experience to this, is the person who was responsible 10 years ago for the very successful timetable change on South Western. I have great confidence that as he comes into the organisation in the coming months, he will be able to put in place a plan for timetable change both at the end of this year and in the future that works better for passengers, who are the most important people in all of this.

The hon. Gentleman also asked me why we did not pay more attention to Chris Gibb’s report last year. Actually, we did. We appointed Chris Gibb chairman of the industry readiness board. Chris is one of the most experienced and respected figures in the rail industry, but that board still did not gather the scale of the problem that lay ahead when it last reported to me in May. Lessons have to be learned by the people on that board. We have to make sure that this cannot happen again, and everyone in the rail industry—and everyone in my Department, including me—is working to ensure that that happens.

**Sir Peter Bottomley** ( Worthing West) (Con): Our constituents who are passengers, and our constituents who work on the railways, want to get this solved, and the best thing to do is to give backing to those in the industry and to the Secretary of State to ensure that that happens.

Anticipating an article by Nigel Harris in *Rail* magazine, I would suggest that those who have power need to be accountable and those who are accountable need to have power.

Anyone who has no expertise should take advice from those who can make things better. That requires getting everyone—unions, managers and knowledgeable passengers—together to see how best we can get out of the hole we are in at the moment.

It is too bad, and it has been too bad for too long.

**Chris Grayling:** I completely agree with my hon. Friend; I think that the railways are going to have to change significantly as a result of what has happened. However, I say to those who are saying that we should
utterly unacceptable? Will he ensure that Network Rail and GTR fix these problems in a matter of days, not weeks?

Chris Grayling: I share my right hon. Friend’s frustration. The most important thing is to end the situation in which we have mass cancellations and people cannot plan their journeys. The important thing now is to reintroduce the services that were supposed to be part of the May timetable step by step, so that we do not end up having the same problem all over again. First, we have to ensure that we have a dependable service that people know will be there when they turn up. Secondly, we need to move back, in a responsible, phased way, to the expanded timetable with the thousands of new trains that should have been there on 20 May.

Lilian Greenwood (Nottingham South) (Lab): Train operators and Network Rail have undoubtedly failed dismally, but the Department for Transport signed off GTR’s unworkable timetable proposals in the face of Network Rail opposition, delayed the decision to agree a phased introduction of the new Thameslink timetable, rejected Chris Gibb’s recommendation of a longer eight-phase implementation, required a reduction in spending on train planning by 2019 despite the biggest timetable change in more than a decade, and failed to spot that driver shortages and training needs would undermine the main timetable. Why has the Secretary of State, the main timetable. Why has the Secretary of State at the Dispatch Box. He needs to understand that he is in deep trouble over this. The Secretary of State knows that every single train on the network is required to be stable and operate reliably, yet we have mass cancellations and people cannot plan. Does he agree that his unwillingness to accept any responsibility undermines his efforts to put things right?

Chris Grayling: This is simply about everyone in the industry and my Department working to ensure that we have a stable timetable for passengers. That is the most important priority right now.

Sir Michael Fallon (Sevenoaks) (Con): Is my right hon. Friend aware that two villages in my constituency, Eynsford and Shoreham, are now virtually cut off? Commuters cannot get up to London, and their children cannot get down to school in Sevenoaks. Will he use the authority of his office to persuade Southeastern to stop at least one or two of their peak-hour fast services during the current disruption to give those two villages a chance of normal life?

Chris Grayling: Absolutely. I have already asked my office to action work to try to find a rapid solution to the problems at those two stations.

Tim Farron (Westmorland and Lonsdale) (LD): The Secretary of State knows that every single train on the Lakes line is to be cancelled over the next two weeks, and at least 11 trains have been cancelled on the Furness line so far today. He is clearly not immediately planning to remove the franchise from either line, as he should, and he mentioned neither in his statement. Will he clarify now that, if Arriva Northern asks for an extension to this outrageous two-week suspension, he will refuse such a request? Will he also commit to funding an ambitious marketing campaign to relaunch the lines and boost our local economy in the light of the colossal reputational damage that they are now suffering?

Chris Grayling: I discussed that very issue with members of Rail North’s board last week. I am profoundly unhappy about this. I have indicated to Arriva that I am not prepared to accept more than the current two weeks and that it should use that two-week period to do engineering work, which will be necessary over the coming months, so that we are not wasting time when a bus service is in place. I have been clear to Arriva that doing this over the long term is simply unacceptable and that it has to get the trains back very quickly.

Sir Nicholas Soames (Mid Sussex) (Con): I make a respectful suggestion to my right hon. Friend, which is that the rail industry readiness board should be taken quietly outside and disposed of. Is he aware that the rail service to East Grinstead, in which he has always taken an interest, has finally fallen over completely, that trains from Haywards Heath, Wivelsfield and Burgess Hill are shorter and more overcrowded, that people’s private lives are being destroyed and that this whole thing is an absolute disaster that must be put right?

Chris Grayling: I completely agree with my right hon. Friend, and I have communicated that to the company concerned.

Rachel Reeves (Leeds West) (Lab): Last week 49 trains were cancelled in my constituency, particularly at Bramley train station, meaning that passengers were late for work,
for college and for other appointments. Frankly, passengers have lost faith in the Secretary of State. Is it not about time he stepped aside and allowed someone who can fix this problem to do the job?

Chris Grayling: This problem needs to be fixed as quickly as possible. I respectfully remind the Opposition that a private rail company is involved. Opposition Members keep telling me that we should nationalise it and have the Government running the trains, so they cannot have it both ways.

Iain Stewart (Milton Keynes South) (Con): Enormous investment has gone into the Thameslink programme, with a new fleet of rolling stock and a state-of-the-art digital signalling system. Can the Secretary of State assure me that these new systems are working as planned and that the cause of the problem is not a technical failing?

Chris Grayling: My hon. Friend is absolutely right. The real frustration is that this is a consequence of major investment programmes and the delivery at the end of those programmes has gone wrong. The thing I find most frustrating about all this, and I absolutely feel for every single passenger who has waited for a cancelled train in the past week—I get the train every day, and I am as fed up with this as everyone else—is that this is the consequence of a change that resulted from a massive investment programme in the railways. We should now be seeing the fruit of that investment programme. We are not yet seeing it, and we have to make sure that we see it pretty quickly.

Kelvin Hopkins (Luton North) (Ind): I have thousands of constituents who commute daily from Leagrave and Luton stations and who are suffering from recent service failures—I have a sheaf of their complaints in my hand. Is it not the reality that GTR has consistently sought to squeeze more passengers on to too few trains and has employed insufficient drivers in the interest of profits, at the expense of passengers? When are the Government going to accept the grotesque failure of private franchising?

Chris Grayling: I absolutely understand the pressures on the hon. Gentleman’s line. Part of the objective of this upgrade is to deliver longer trains and more trains, and it is a huge frustration to me that that has not happened. We have to make sure it happens as quickly as possible.

Martin Vickers (Cleethorpes) (Con): What estimate has been made of the cost to the industry and of the potential impact on the various companies involved?

Chris Grayling: It is too early to work through that. I am more focused at the moment on getting services back to normal. The companies will undoubtedly bear a cost from this but, as far as I am concerned, the most important thing is making sure that services are back to normal and that passengers are compensated, and the companies will have to meet the cost of that.

Chuka Umunna (Streatham) (Lab): The Thameslink service in my constituency from Streatham to London Blackfriars had 37 trains cancelled last Friday, and over 160 trains were cancelled over the course of last week. Every time the Secretary of State comes to the Dispatch Box—like the GTR managers—he blames everyone but himself. He has been in situ for two years. Are not my constituents entitled to think that this is just an utterly pointless Transport Secretary, because nothing ever changes under his watch?

Chris Grayling: I seem to remember that when I took over there were real problems with Southern metro services at other stations in the hon. Gentleman’s constituency. Those problems have now been improved and sorted, and those services are running very well—not across the whole Southern network, but across the Southern metro network. We now need to sort this problem out.

Bim Afolami (Hitchin and Harpenden) (Con): I have spoken to the Secretary of State over many weeks and months about the train issues in my constituency of Hitchin and Harpenden. I know the inquiry he has announced will look into culpability on this matter, but how much more evidence do we need that the senior management of Network Rail and GTR are incompetent, incapable and inept? How long can they go on?

Chris Grayling: We need to establish who is directly responsible for the decision making that has been got wrong here, establish the truth through the Glaister review and then take appropriate action—and we will.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): My constituents, and the people in Yorkshire and the north, love their railway system, but they want it to be a good system that is safe and secure and that runs on time, to get them to work and to see their family. Does the Secretary of State realise just how much misery has been caused to so many families over these past weeks? I am not the most radical or left-wing member of my party, but even I believe that the system of privatisation has not worked and will never work, and that it is time we had a public service railway system in our country.

Chris Grayling: Of course I understand the frustration that the hon. Gentleman experiences. The irony is that these timetable problems have resulted from a planned expansion in services for his constituents and others across the north. It was designed to deliver thousands of extra train services for people across the north of England. It has not worked today and it must work soon.

Alec Shelbrooke (Elmet and Rothwell) (Con): My constituents at Garforth, Micklefield and Woodlesford stations are agog at how bad the trains have got, and I lay the blame for a lot of this at the door of Network Rail, not the Secretary of State. There have been plenty of opportunities and plenty of promises made over decades; I was using this train line 20 years ago, and it was rubbish then and it is rubbish now. What can he do to ensure that Network Rail gets a grip of the situation and delivers on the promises it makes?

Chris Grayling: What we have to see is the completion of the investment programme, the delivery of the new trains and, above all, the sorting out of the timetable. Every train in the north of England is being replaced with either a brand new train or a completely refurbished one. The new trains are due to start arriving later this year.
We have big investments taking place. The transpennine rail upgrade, at £3 billion, is the largest investment; it is part of the next rail infrastructure investment programme. It is just hugely frustrating that what has been done so far has yet to deliver the improvements it should to passengers and has actually made things worse. That must stop, and stop quickly.

Helen Hayes (Dulwich and West Norwood) (Lab): My constituents have already faced three years of disruption and continual delays at the hands of GTR, Southern and Southeastern, and the chaos from the new timetable is making things worse. The impact of that chaos is more than simply inconvenience; it is taking its toll on relationships, family life and employment, and we have the heart-rending sight of students unable to get to important exams on time. The Secretary of State previously refused, for entirely political reasons, to pass control of suburban rail services in south London to Transport for London. Will he now accept that my constituents deserve their rail services to be run by an organisation that will put passengers ahead of profit, and hand them to TfL to run?

Chris Grayling: The only thing I would point out, respectfully, to the hon. Lady is that she has just called for the transfer of rail services from Southeastern to Arriva, the previous Secretary of State’s franchise was a warded to Arriva, the previous Secretary for Transport, the right hon. Member for Derbyshire Dales (Sir Patrick McLoughlin), said: “We promised passengers a world class rail service that would make the Northern Powerhouse a reality—and I’m delighted”.

He also said that the new operator would “bring the Northern Powerhouse to life.” Such promises would be laughable, except that they are tragic, because my constituents cannot get into Manchester for their jobs, cannot get to hospital appointments and cannot return home to pick up their children from childcare places. Why will the Minister not take responsibility, stop passing the buck and fix this now?

Chris Grayling: I would be delighted to fix it now. It is worth reminding the House that the Northern franchise is a partnership between my Department, Transport for the North and the Northern leaders. It was designed by all of us to deliver precisely the improvements that the hon. Lady describes. It is a huge frustration to me, and I suspect to everyone in the north, that that has not happened, and I assure her that I will do everything that I can. I trust that through the Rail North partnership we will deliver the improvements that have been promised and that her constituents deserve.

Ms Nadine Dorries (Mid Bedfordshire) (Con): My constituents pay one of the highest prices for season tickets, out of taxed income. For more than 13 years, I have been complaining on their behalf as they have encountered one crisis after another, including under the previous Government for the first five of those 13 years. This is another crisis with which my constituents have had to deal. Will the Secretary of State please use his good offices to tell Thameslink to stop cancelling, with little or no notice, stops at Flixborough and Harlington and continuing the service on to Bedford, where people are stranded and find it very difficult to get home? Will he also insist that once trains are running normally, the compensation scheme is not inadequate and does not mean one month’s free rail use, but is more like six months’ free rail use on people’s season tickets? I welcome the Secretary of State’s statement that 24 trains an hour will be running soon, but when? We need them as soon as possible.

Chris Grayling: I completely agree with my hon. Friend, and I will make sure that an appropriate compensation package is in place. First and foremost, we have to make sure that there is a service on which people can rely. The thing that I think is currently most frustrating people is not being sure whether the train is going to turn up when they go to the station to catch it. The most important thing right now is for both Northern and GTR to deliver a service on which passengers can depend, so that they know that when a train is due it is actually going to turn up.

Caroline Flint (Don Valley) (Lab): The Secretary of State has said that he and his Department were asking questions of the industry readiness board, the operators and Network Rail, and that they did not provide him with information that there was going to be such a disaster. In the interests of transparency, would he be prepared to publish any recorded letters, memos or emails that show that his Department was asking the right questions at the right time, so that we can see what answers he and his Department were given?

Chris Grayling: I am prepared to be completely transparent over this. I have instructed Stephen Glaister to go through everything, including the conversations with my Department, and that it should be made public.
I have no doubt that the Transport Committee will do the same. I am aware of nothing that I would want to be kept hidden. I want everybody to understand what has gone wrong and I want lessons to be learned. The most important thing is that we make sure that this can never happen again. That is my No. 1 priority.

Robert Neill (Bromley and Chislehurst) (Con): My constituents have suffered in exactly the same way as those of many Members. Frankly, they were misled when they were told that there would be an improved service after London Bridge was sorted, because there has not been and will not be, even when the timetable works as it should. More to the point, my right hon. Friend says that these are consequences of change, and I understand that, but is not the whole point of competent management that people are supposed to anticipate and deal with consequences? When Network Rail puts out a statement saying that “we are looking at understanding the root cause”, it sounds as if it is running a seminar rather than a railway. Will my right hon. Friend get rid of these incompetents, now?

Chris Grayling: I assure my hon. Friend that I am sufficiently angry at what has happened that anyone who has found to be negligent in this matter should not carry on in the job they are doing now. It is simply not acceptable to have a situation in which people are in operational control of something and completely fail to deliver. The whole point of setting up an independent review is to understand exactly what has gone wrong so that lessons can be learned.

Luciana Berger (Liverpool, Wavertree) (Lab/Co-op): Two months before the changes, back in March, I asked the Secretary of State in a written question what steps he and his Department had taken to ensure that there was both adequate track capacity and adequate train numbers to support the proposed rail timetable change in the north-west, because my constituents knew then that there would be a problem. A junior Minister told me in a reply that it was the responsibility of the train operating company to support the proposed timetable changes—nothing to do with his Department. I have constituents who are standing in sweltering heat for five hours, some of whom are fasting for Ramadan—and that is if they can get a train at all. It is an absolute disgrace. What will the Secretary of State do to make it right today?

Chris Grayling: The answer to the hon. Lady’s question is that a temporary timetable is being put in place on Northern that should stabilise the timetable this week, and then, step by step, it will start to put back in place the extra services that were promised post May.

Chris Philp (Croydon South) (Con): For at least three years now, my constituents have on occasion been unable to get to work, unable to reach hospital appointments and unable to get home in the evening to see loved ones. GTR has presided over an incompetent railway network for far too long. Can the Secretary of State confirm that if the Glaister report finds that GTR has been negligent in the handling of this timetable introduction, which has certainly been a fiasco, and that if GTR fails urgently to take the steps required to fix it, the measures he is contemplating will include removing its franchise?

Chris Grayling: I have been absolutely clear that, if GTR is found to be negligent, I will use the powers that I have under the Railways Act 1993 and under the contractual arrangements to deal with this.

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): There could not be a greater contrast between the millions of pounds of new investment in our railways being introduced by the Welsh Labour Government and the shambles over which the Secretary of State presides. Can he explain what on earth is going on at Great Western Railway? There have been repeated cancellations, delays, trains that are understaffed with no catering services, and trains breaking down. I have spoken to Great Western Railway, to Network Rail and to Hitachi. Hitachi tells me that the Department for Transport did not give a long enough period for testing the trains, and Great Western tells me that it sold off a load of its own trains to Scotland before the new ones were ready. Will he get a grip on that situation?

Chris Grayling: The Great Western modernisation is delivering new trains and a faster service, and by the end of this year it will deliver an improved timetable. There have been teething problems with the introduction of the new trains, but anyone who has travelled on the new trains in which this Government are investing on the Great Western route will say that they are a step in the right direction.

Dr Matthew Offord (Hendon) (Con): This really is an appalling situation that we should have seen coming down the line given the history of the train operating companies. I have emails from my constituents that complain about a lack of communication from Govia Thameslink. They say that the refund procedures are lengthy and difficult to navigate and that the timetable implementation has simply not worked. Will the Secretary of State give serious consideration to introducing a short deadline to ensure that GTR in particular brings the service up to an acceptable standard, or finding another train provider that will do so?

Chris Grayling: I am very clear that I expect GTR to deliver an improvement to the current situation as a matter of real urgency. If it does not do so, it will lack the credibility to continue as operator.

Paula Sherriff (Dewsbury) (Lab): What a mess! How would the Secretary of State respond to my constituent who contacted my office this morning to say that he has already had to use a significant portion of his annual leave allocation because he has arrived at work hours late every single day over the past couple of weeks? Given the debacle that we have seen on the trains recently, with not just this situation but the delayed electrification and the problems on the east coast main line, does the Secretary of State believe that he has the competence to sort this out?

Chris Grayling: What I would say to the hon. Lady’s constituent is that I am very, very sorry and that we will have a compensation scheme. Somebody has to sort this out, and that is what I am going to do.
Tim Loughton (East Worthing and Shoreham) (Con): I am sure that I speak on behalf of thousands of commuters in Sussex when I say that this must be the end of the line for the GTR franchise. We were constantly assured that the driver shortage had been addressed, but now we are told that the problem is the wrong type of drivers on the line. Will the Secretary of State assure me that the compensation scheme will be a realistic one, that it will be paid for not by his Department this time but by the train operators, and that, within six months maximum of the Glaister review reporting, he will be in a position to take back that franchise?

Chris Grayling: The people responsible for this have to pay the cost. In terms of the report, I will be absolutely clear that if I need to take action, I will be ready to take action.

Bill Esterson (Sefton Central) (Lab): Before the timetable changed, Members across the House warned about the problem. On a number of occasions, I have warned about the problems for people travelling from Southport to Manchester. It seems that anyone who knew anything about railways—especially the travelling public—warned Ministers about the shortage of drivers, the delays and the engineering works. Given all the warnings, why did the Secretary of State not delay the implementation of the new timetable? Frankly, given the chaos, why is he still in his job?

Chris Grayling: One of the things I want the Glaister report to do is identify why the train companies did not tell us that there was a sufficient problem to delay or halt the introduction of the timetable.

Henry Smith (Crawley) (Con): What my constituent commuters and, indeed, I—as a passenger—want to know is, why does Govia Thameslink have such a lack of planning and future foresight? There are to be major engineering works on the London to Brighton main line in October this year and February next year. What assurances can I have for my constituents travelling from Three Bridges, Crawley, Ifield and Gatwick Airport stations that proper planning will be in place to ensure that those engineering works, which are welcome, do not cause undue disruption?

Chris Grayling: I will ensure that the rail Minister sits down with my hon. Friend and has a conversation with all those involved to make sure that those works are not an issue. As he knows, there has been necessary investment to sort out problems on the Brighton main line, but we cannot have the works causing inappropriate levels of disruption. There will inevitably be some disruption, because engineering works cannot be done without it, but we have to ensure that they are done in the right way.

Rosie Cooper (West Lancashire) (Lab): To describe my constituents as incandescent would be an absolute understatement. Colleagues across the House have described the impact this fiasco has had on families and individuals. I have listened carefully to the Secretary of State and he seems to have been reassured by the information he has received, but he does not seem to have tested that information to assure himself and his Department that the information was correct. If that is so, how can we be sure that he has tested and is assured of his potential solutions?

Chris Grayling: I simply say that we have teams of people whose job it is to assure this. They did not see this situation coming; nor did the train operators. The Glaister review is necessary because this should not have been able to happen.

Heidi Allen (South Cambridgeshire) (Con): If GTR is telling the Secretary of State that things are getting better in my constituency of South Cambridgeshire, it is not being truthful to him. The experience of my constituents—and, indeed, my experience of travelling in today—is that things are getting worse. Network Rail may hold the lion’s share of the responsibility, but the operators have a role to play too. Why on earth did they not flag at minus three weeks that that period of time was not going to be long enough? The operators clearly told the Secretary of State that everything was fine, but last week they told me that it was not and that three weeks would never have been long enough, so which one of us are they lying to?

I ask the Secretary of State for two actions. First, he says that the emergency timetable that has been implemented today would take us back to pre-May levels. It is not doing so at all; it is actually worse. By the end of this week, can we please aim to have the pre-May timetable back in place? Secondly, we have heard about compensation for Northern passengers being akin to that of Southern last year. I have to tell the Secretary of State that the GTR performance up and down the line in my constituency is as bad, and we should be considered for the same levels of compensation.

Chris Grayling: I will certainly take on board my hon. Friend’s points. I hope and expect, and am insisting, that we see stabilisation during the course of this week. What matters is that people know which trains are going to run, and that they know a train will be there when they turn up. That is the most important priority, certainly on her line.

Mrs Louise Ellman (Liverpool, Riverside) (Lab/Co-op): Many of my constituents are furious that they cannot get to work owing to driver shortages and mass cancellations in the timetable in what is supposed to be a situation of planned improvements. How much worse does it have to get before the Secretary of State will consider removing the franchise?

Chris Grayling: Of course the future of both franchises is a genuine issue, but I honestly think that the most important thing right now is to solve the problem. Sacking the people who are working to solve the problem would probably not get us anywhere. As to what will happen a few months’ time, when we have seen the Glaister report—that is a very different question.

Fiona Bruce (Congleton) (Con): Northern Rail has changed or reduced the already limited rush hour services between Congleton and Manchester to such an extent that my constituents say that they are having to face the pressured M6 and M56 commute by car, and that this timetabling change may even breach Northern’s service level agreement. Will the Secretary of State take up with Northern Rail this wholly inadequate rail service for a growing town, and will he require improvement?

Chris Grayling: As I said a moment ago, the rail Minister and I are happy to talk to individual colleagues on both sides of the House to look at places where there
are issues of this kind. There are rolling timetable changes each year. If we can look at cases where a town has genuinely been disadvantaged, we can see what we can do to sort that out.

Mohammad Yasin (Bedford) (Lab): Bedford rail users who lost their peak time East Midlands Trains service are still facing the misery of cancellations and delays. Trains are leaving St Pancras half full and are whizzing past Bedford, while my constituents have been forced on to dangerously overcrowded Thameslink trains. This is absolutely ridiculous. Will the Secretary of State stop making excuses and reinstate the Bedford EMT service today?

Chris Grayling: I have already asked the industry to look at whether it can restore some of the East Midlands Trains services to ease the pressure on Bedford in the interim period, while this disruption is happening. It seems a logical thing to do, given that the train paths are not being occupied by Thameslink at the moment.

Paul Scully (Sutton and Cheam) (Con): This was supposed to be the light at the end of the tunnel, but that is actually a train coming fast the other way. Commuters do not want to play the blame game. They just want their trains to work now. The short-term view of sacking a franchisee overnight would really just mean the same people running the same lines with differently spray-painted trains. I want us to look back and find out how nobody, but nobody, thought to postpone the process, but we should also look to the future: will the Secretary of State tell us how many lifelines GTR needs before we realise that it should have no place on the UK’s rail network?

Chris Grayling: I am very clear that once we know the full culpability for this situation, the appropriate action will be taken if it needs to be taken.

Hilary Benn (Leeds Central) (Lab): The more the Secretary of State has described this afternoon some of the reasons why this disaster occurred—lack of preparation and lack of time—the more commuters and others on Northern and TransPennine, who have suffered so much misery, will wonder why the introduction of the new timetable was not cancelled, rather than their trains. It is quite clear that the Secretary of State had no idea what was going on. The question that he has not answered today is, why?

Chris Grayling: As I said, in the case of GTR I had the chief executive in my office three weeks before saying that it would be fine. In the case of the teams running the Northern branch, they indicated to my Department that it would be a difficult start, but not on anything like this scale. I have set up the independent inquiry into what has gone wrong because I am not alone in this. When I talk to other people—on the independent assurance panel and the board set up to oversee the introduction of the timetable, the Rail North team and other people on the Rail North board, and the chair of Transport for the North—it seems that nobody was expecting this. That is completely unacceptable. We need to understand why it has happened and ensure that it can never happen again.

Mary Robinson (Cheadle) (Con): My constituents have suffered huge delays, cancelled services and unacceptable travel uncertainty. What reassurances will the Secretary of State give Northern commuters that they will quickly have a functioning service and that pre-existing timetable gaps locally will also be addressed?

Chris Grayling: I have been very clear with the companies, as has the Rail North Partnership, that they need to get back to a position of stability. I expect that to mean that they will be running slightly more trains overall across the network than they were prior to 20 May, and that they will move over the next few weeks to reintroduce services in order to get back up to the expanded level that was supposed to exist. If there are individual issues, as I know there are in my hon. Friend’s constituency, the rail Minister and I will happily sit down and look at how we can address them as we move towards future timetable changes.

Tracy Brabin (Batley and Spen) (Lab/Co-op): On Saturday, two of my constituents, both in their 70s, were unfortunate enough to find themselves on the 23:03 Northern service from Leeds to Brighouse—the culmination of what they called a torturous journey due to timetable chaos. They described the crammed Northern train as “filthy, a cheap product that has been neglected and flogged to death”. Does the Secretary of State agree with the Mayor of Manchester that Northern rail is now in the last chance saloon? Can he tell the House when he will stop passing the buck and take full responsibility for this chaos?

Chris Grayling: Both Northern rail and GTR have a whole lot of questions to answer and they are in the last chance saloon, so the hon. Lady is absolutely right. On the comments that her constituents rightly make about the trains, it is time for all those trains to be replaced, and over the coming months they are going to be.

Mr William Wragg (Hazel Grove) (Con): The announcement of an inquiry and compensation is of course welcome. Leaving aside the atrocious implementation of the new Northern timetable, will my right hon. Friend the Secretary of State bang heads together to sort out the morning peak-time 45-minute gap in services that is affecting my constituents so badly?

Chris Grayling: We will do that. I will ask the Minister of State, my hon. Friend the Member for Orpington (Joseph Johnson), to sit down with my hon. Friend and go through this to make sure that we address some of the timetable anomalies that inevitably come out of a big change like this, which are not just short-term issues but actually structural issues in the timetable.

John Woodcock (Barrow and Furness) (Ind): Yes, of course the timetable changes have been a total fiasco, but does the Secretary of State not understand that people in Furness in Cumbria have been begging him for months to get to grips with this appalling situation? Before Northern took on the full franchise, there were 103 cancellations in a year on the Furness line. Last year, there were 212. Then, in the financial year that has just finished, there were 517—and that was before the timetable changes. Will he stop treating my constituents as though they have got the fag end of what is a pretty horrendous deal right across the country and take this situation seriously, starting tonight?
Chris Grayling: I and my Department have taken the situation seriously for a long time. With regard to lines like the Furness line, this is why we are investing in new trains to provide a better service. The Cumbrian Coast line has to put up with knackered old trains that should have been sent to the scrapyard years ago. It is finally going to get new trains in the coming months, and they are long overdue.

Steve Double (St Austell and Newquay) (Con): I welcome the Secretary of State’s statement and his commitment to investigate what has gone wrong and to take appropriate action as soon as possible. Does he believe that part of the answer to ensuring that this situation never happens again is combining the operation of track and train under one operator?

Chris Grayling: Bringing track and train back together is part of the solution for the railways. I am absolutely sure that the railways are going to have to change quite a lot as a result of what has gone on, which has been completely unacceptable. Their ways of working have got to change. We are going to need a reshaped approach for the future.

Thelma Walker (Colne Valley) (Lab): Disabled passengers in my constituency have been told that they will not be able to catch certain trains as TransPennine has rolled out old stock to try to fix the broken timetables and reduce delays. Does the Transport Secretary agree that this is discrimination and unacceptable? Will he intervene to tell TransPennine that it must make sure that each train is compliant with disability legislation?

Chris Grayling: It is the duty of all train companies to ensure that that happens. The rolling programme of train replacement means that all trains will be disability-compliant. Every train in the north is being replaced with either a brand new train or a refurbished, as-new train. I will continue to make the point to all train operators—as will the Under-Secretary, my hon. Friend the Member for Wealden (Ms Ghani), who is responsible for accessibility—that they have to make a priority of this.

Damien Moore (Southport) (Con): My right hon. Friend has already visited my constituency and seen the level of frustration and concern about the timetabling. Will he continue to engage positively with me and with rail passengers’ groups so that we get the best possible service for Southport rail users?

Chris Grayling: I absolutely agree with my hon. Friend. We need to work together to make sure that we get some services back to Piccadilly, which I know is very important to so many of his constituents. He and I will work together on that.

Stephen Twigg (Liverpool, West Derby) (Lab/Co-op): Does the Secretary of State recognise the very deep anger among Northern Rail passengers in Liverpool and elsewhere about what has happened? Let me press him on the issue of compensation. He says that there will be a special compensation scheme. In the past week, constituents have been in touch who have had only partial compensation because they hold a Merseytravel Trio ticket and Northern will not compensate them for that part of the journey. Surely appropriate redress must mean full compensation for every passenger.

Chris Grayling: That is a very serious point, and I am happy to make sure that it is dealt with. There were some similar issues with Southern in relation to Oyster card holders. We need to make sure that the travellers who should be entitled to compensation do get that compensation. That is why we are not rushing into announcing details of the scheme right now: we are going to make it right.

Mark Menzies (Fylde) (Con): For over six months, my constituents have been using bus services during electrification of the Blackpool to Preston railway line. The current chaos therefore comes at the worst possible time when people were looking forward to a good service, and they are absolutely gutted. Can the Secretary of State assure me that they will be able to enjoy the multi-million pound investment that has gone in? When will he put the full force of his weight behind Northern Rail to make sure that it fixes this problem now? Can my constituents look forward to getting the railway that they had hoped for?

Chris Grayling: My hon. Friend puts his finger on the frustrations. On his line, the disruption has been a result of long overdue investment in improvements for the future and a commitment to railways in the north. It is a tragedy that the electrification delay has had such disastrous effects for timetabling across the whole area. We need to sort out these problems in the short term. We need to get the electrification of his route up and running as quickly as possible so that all the improvements that were planned actually happen.

Tom Brake (Carshalton and Wallington) (LD): For four years, GTR has failed to run services efficiently and provide sufficient drivers. So before the Secretary of State walks the plank, will he do two things? First, will he confirm that any compensation that is going to be paid will be based on the timetable that the company should have been running, or indeed better than that? Secondly, will he consider reversing a U-turn that he performed some months ago? He had proposed handing over the services in suburban London to the Mayor of London when the Foreign Secretary was the Mayor, and then changed his mind when Sadiq Khan became Mayor. Will he reconsider that decision?

Chris Grayling: I never took that decision in the first place. It is my view that services running outside London should not be controlled by an elected representative inside London. The approach that we have taken in the north, the west midlands and elsewhere, and have offered in London, is one of partnership so that we get involvement from both sides. That is the right way to do it. With regard to handing over services to the Mayor, London Overground is a franchise run by Arriva, the same company that runs Northern, so I am at a loss as to why people think that that is a magic solution for the future.

Maria Caulfield (Lewes) (Con): Do we really need a review before action is taken? People who commute from Lewes, Polegate, Seaford, Newhaven and many more stations have had to endure not just the timetable changes, but 18 months of strike action and 18 months of misery while the London Bridge works were happening, and we now have fewer trains than ever before. When trains do run, they sometimes do not stop, as happened.
in Lewes and Polegate today, and when they do stop, passengers cannot get on because of short formations, with trains going down from 12 carriages to four today. The only question my constituents have is, “When is Southern Rail going to lose its franchise?” If I can be helpful to the Secretary of State, the answer should be “Now.”

Chris Grayling: The important thing to do is to make sure that these problems are sorted out. It may be that at the end of this there is a franchise change, but I want to do anything like that in the right way, in the right timeframe, and in a way that is justifiable. I have to fulfil contractual commitments. I have to look at where culpability lies. We need to go through that process first. In the meantime, having short-format trains on Southern, which otherwise is performing pretty well, is completely unacceptable, and it needs to fix that straight away.

Several hon. Members rose—

Mr Speaker: Having heard the hon. Member for Brighton, Kemptown (Lloyd Russell-Moyle) chuntering from a sedentary position, perhaps we can now hear him on his feet.

Lloyd Russell-Moyle (Brighton, Kemptown) (Lab/Co-op): Thank you, Mr Speaker.

If someone conspired to break into my garage and steal or immobilise my car, they would face the full force of the law. The Secretary of State’s Department has conspired with the railway companies in an incompetent manner to change the timetables, and despite repeated warnings from the Opposition, the companies went ahead with it. When will they face the full force of having their franchises stripped from them, or when will he be brave enough to face up to this and resign?

Chris Grayling: I have mentioned to the House the industry bodies that we have put in place. It is only a week since Labour was demanding that the railways were run by rail professionals—actually, they are. Those rail professionals have been overseeing this process, they got it wrong, and that is why we are having the inquiry.

David Morris (Morecambe and Lunesdale) (Con): I have to thank the Secretary of State, because he has tried to accommodate me three times today. I think we should have some brevity in the House, because parties of all colours have the same problems. The reality is that this is a mess. We have to get a realistic timetable in order and make sure that when these train companies cancel—I saw it today at Lancaster station, when Northern cancelled on the commuters that I was standing on the platform with—they have alternative transport already in place. I ask the Secretary of State to sort these companies out, but in a measured way, because I realise the pressures he is under, and I am mature enough to realise the contractual obligations that he has to consider.

Chris Grayling: This is the important thing. It is easy being the Labour party, demanding this and demanding that, but we have to do what needs to be done in the right way, focusing first on getting a stable timetable, then identifying what has gone wrong and the culpability, and then taking appropriate action. That is what we will do.

Afzal Khan (Manchester, Gorton) (Lab): The new timetable came into effect today, but my constituents have the same old problems. Despite axing 165 services, more than 60 trains had been cancelled by 8.30 am. All the while, rail fares have risen by 32%, and the promised electrification has been scrapped. Can the Secretary of State tell me when my constituents can expect compensation and improved services, and what personal responsibility he takes for the chaotic mismanagement of this country’s rail network?

Chris Grayling: The Labour party keeps saying that it wants the Government to run the railways. We do not at the moment. The temporary Northern timetable has been put in place this week. Some adjustment of rosters is taking place right now. I hope and believe that by the middle of the week, we will return to a point of stability, with a lower level of cancellations than today and tomorrow and getting back to a reasonably dependable timetable within a day or two. That is what I am expecting, that is what we have been promised, and that is what we will be demanding of Northern Rail.

Jeremy Quin (Hornsham) (Con): I saw it today at Lancaster station, when Northern cancelled on the commuters that I was standing on the platform with—they have alternative transport already in place. I ask the Secretary of State to sort these companies out, but in a measured way, because I realise the pressures he is under, and I am mature enough to realise the contractual obligations that he has to consider.

Huw Merriman (Bexhill and Battle) (Con): What a delicious choice: my former constituency chairman, the hon. Member for Horsham (Jeremy Quin), and an Arsenal fan behind him, most of whose family live in my constituency. I do not want to be unkind to Horsham, but it has got to be Huw Merriman.

Huw Merriman: Thank you, Mr Speaker—I’m always your man.

In the two years that the Secretary of State for Transport has been in post and I have sat on the Transport Committee, he has always been very honest, open and direct about the need for change. For any project management exercise to fail to get the sign-off from Network Rail and for it to find out only three weeks before, by which time it is too late to turn the oil tanker around, has got to be a spectacular failure. Who was the project manager and penholder for this exercise?

Chris Grayling: That is a very interesting question. My view is that the Network Rail timetabling process has gone badly wrong, and I cannot understand why GTR did not raise the alarm. I have asked Professor Glaister to go through all this because I want to understand exactly where the accountability should lie and be able to take appropriate action.

Liz McInnes (Heywood and Middleton) (Lab): Northern Rail has cancelled so many trains that an app has sprung up called “Northern Fail”, to help commuters in the so-called northern powerhouse make even the most basic of journeys. What will the Secretary of State do to ensure that these commuters, who have forked out for childcare, taxis, hire cars and hotels, are adequately and fully compensated?

Chris Grayling: I am very clear that we have to provide a compensation scheme of the kind that was delivered to Southern passengers after the huge disruption they experienced a year ago. I am very clear that that is what will happen.
Jeremy Quin: To reassure you, Mr Speaker, an hour’s wait is sadly not unusual for Horsham right now. I wish we were getting back to a far more regular service. Significant investment has been put into our line, which was meant to result in a far better service for our commuters. I welcome an independent inquiry to find out what on earth has gone wrong, but in the meantime, can we at least ensure that where there are fewer, busier trains, they are not short-form, so that people can get on them?

Chris Grayling: That has to be dealt with, and we will communicate that to GTR. If there are fewer trains running, they should be not short-form trains.

Luke Pollard (Plymouth, Sutton and Devonport) (Lab/Co-op): The Secretary of State told the House that sorting out the timetable chaos was his Department’s No. 1 priority. That is a phrase he has used before about Dawlish and the resilience work in the far south-west, which was apparently his No. 1 priority. What is his No. 1 priority, and will Northern and GTR passengers have to wait the years that passengers in the far south-west have had to wait for action on Dawlish?

Chris Grayling: The work on Dawlish has already started, as the hon. Gentleman knows. In terms of the infrastructure period that is about to start, delivering that work is, in my view, the most important capital project in the country. The most important priority on my desk now is self-evidently to get this sorted.

Grahame Morris (Easington) (Lab): My constituents are also experiencing their share of misery. The hon. Member for Lewes (Maria Caulfield) said that trains serving her constituency had four carriages, but most of the trains serving mine only have two carriages to begin with, so they are already overcrowded even before any cancellations. It is clearly a failure of planning and co-ordination and a lack of integration. Will the Secretary of State or his successor give an assurance to the travelling public that a similar fiasco will not occur with the next timetable changes in December?

Chris Grayling: We are working extremely hard to make sure that this does not happen again. We have to deal with the short-term problem. We also have to make sure that this is not repeated with the December timetable change or future timetable changes. Where major investment leads to a major change in services, we cannot have a situation where that causes chaos on the network again.

Judith Cummins (Bradford South) (Lab): Does the Secretary of State understand the real human cost of this fiasco and the fact that every disrupted journey represents chaos for our constituents and losses for our businesses? He talked in his statement of major failures and holding the industry to account, but when will he take responsibility and hold himself to account over his repeated and major failures?

Chris Grayling: My job is to do everything I can to make sure that the industry gets itself back on the straight and narrow, and that is what I will do.

Diana Johnson (Kingston upon Hull North) (Lab): We have been going for an hour and fifteen minutes now, and the Secretary of State has failed to take any responsibility for the current chaos on our rail system. George Osborne wrote in *The Times* today about better economic advantages for the Humber area if we have faster train journeys, which I am sure the Secretary of State agrees with. However, with the new TransPennine Express timetable, the early indications are that most journeys across the Pennines are taking 15 to 20 minutes longer. Does he take any responsibility for that? How does it fit with the Government’s plan for the northern powerhouse and improving connectivity between east and west by speeding those journeys up?

Chris Grayling: What we are delivering is this: starting next spring, the £3 billion upgrade to the transpennine railway will make a huge difference to journeys; the TransPennine franchise is bringing in brand new intercity express trains in the coming months; and of course, Humberside will also benefit from the huge investment taking place in new trains on the east coast main line.

Yvonne Fovargue (Makerfield) (Lab): My constituents have been suffering outdated Pacers trains, overcrowding and cancellations for years, and the recent timetabling chaos and the removal of the transpennine service just exacerbated that. A promise of a better service by 2020 is just not good enough. My constituents need to get to work now, and no compensation will make up for the written warnings and even the job loss that one person has told me about. Will the Secretary of State at least consider insisting that TransPennine reinstates the stop at Wigan until he can sort out the Northern chaos?

Chris Grayling: The hon. Lady and I are meeting later, so I will happily talk through that with her.

Jonathan Reynolds (Stalybridge and Hyde) (Lab/Co-op): Northern’s new emergency timetable takes 165 services out of the timetable. It has been running for the first day today. A further 40 trains have been cancelled and punctuality is running at under 50%. Those figures were correct as I came into the Chamber at 5 o’clock, so they do not include the evening peak. The one question the Secretary of State has not answered so far is this: who in the Department for Transport gave approval for this timetable change to go ahead?

Chris Grayling: Timetable changes are not approved by the Department for Transport. These are matters for the different parts of the rail industry; they are the ones who take those decisions.

Julie Cooper (Burnley) (Lab): The new timetable implemented by Northern Rail on 20 May has brought chaos and misery to Burnley rail users, with 22 trains cancelled on one single day and over 50% of the trains from Burnley Manchester Road station being delayed or cancelled altogether every single day. I have been listening to the Secretary of State answering questions for over an hour. Maybe I missed this, but I still do not understand why these timetable changes were permitted to go ahead when it was known that infrastructure works were incomplete and there was a shortage of train drivers. I would be grateful if he could cast some light on that. Most importantly, could he tell my constituents when they can expect the restoration of a reliable service? The interim timetable that started today has not improved things one little bit.
Chris Grayling: My understanding is that there is a need to align train crew rosters with the new timetable. That will take another six months, but I am assured by Northern that the new timetable introduced this week should, as the week goes by, restore stability to that network. That is certainly—absolutely 100%—my expectation. It is essential for the hon. Lady’s constituents and that has to be delivered.

Debbie Abrahams (Oldham East and Saddleworth) (Lab) rose—

Kate Green (Stretford and Urmston) (Lab) rose—

Mr Speaker: People lower down the alphabet should not suffer discrimination. I call Kate Green.

Kate Green: These are not recent problems. They predate the introduction of the new timetable. They predate the delay in the infrastructure improvements, and I have been talking to the Secretary of State, in this Chamber and in private meetings, for month after month about the problems my constituents are experiencing. He says that he took advice from industry experts, and of course he should, but why did he not also take advice and ask questions based on the information coming from Members of this House and on the information from the travelling public that has been all over social media for months? What questions did he ask these industry experts?

Chris Grayling: The whole point about the new timetable—it has clearly not worked and it must work—is actually to deliver a more reliable service through reshaping timetables in a way that means there is less congestion and more services can be run for passengers. This has clearly not worked at all. This timetable was put in place for the best possible reasons and it has so far delivered the worst possible outcomes. That must change.

Debbie Abrahams: I first contacted the Transport Secretary back in November to raise concerns about the proposed timetable and, unfortunately, he completely ignored my concerns. Today’s interim timetable has brought even more havoc to my constituents who use Greenfield station, with five—up to now—trains being cancelled. What immediate action is he going to take to resolve some of the issues not just about timetabling, but about capacity? Will he ensure that, this time, passengers are involved?

Chris Grayling: Of course, the reality is that the most important thing, as I have set out, is that Northern Rail needs to deliver this week, as it has promised, a more stable timetable and something that people can rely on. Step by step, it then needs to put back in place the additional services that were supposed to deliver better options for the hon. Lady’s constituents and others. That clearly has not happened and I deeply regret that. It is unconscionable, and infuriating to all of us in government, that the things that were supposed to deliver a better outcome for everyone have not done so. We will not be anything other than relentless in pushing the rail industry to ensure that those benefits are delivered. They should be there now. They are not. It is worse than it should be. That has to change and it has to change quickly.

Nuclear Power

6.23 pm

The Secretary of State for Business, Energy and Industrial Strategy (Greg Clark): With permission, Mr Speaker, I would like to make a statement on the proposed Wylfa Newydd nuclear power plant.

Britain was the world’s first civil nuclear nation. Nuclear energy has powered homes and businesses in this country for over 60 years and currently provides about 20% of our electricity needs with low-carbon, secure and reliable baseload power. Nuclear has an important role to play in the UK’s energy future as we transition to the low-carbon economy. However, we have always been clear that no technology will be pursued at any price: new nuclear must provide value for money for consumers and taxpayers.

In 2016, we agreed to support the first new nuclear power station in a generation at Hinkley Point C in Somerset. Developers have set out proposals for a further five plants to come online over the next few decades. As I said at the time the contract for Hinkley Point C was agreed, the Government expect future nuclear projects to provide lower-cost electricity than Hinkley Point C.

The next project in this pipeline is the proposed Wylfa Newydd power station, based at Anglesey in north Wales. The project developers, Horizon Nuclear Power, which is owned by the Japanese company Hitachi, has developed proposals to build two reactors with a combined capacity of 2.9 GW. Hitachi’s reactor design has been deployed on time and on budget in Japan, and last December, having satisfied our strict safety standards, it completed the generic design assessment process run by the UK’s independent nuclear regulators. Horizon submitted its application for development consent to the Planning Inspectorate last Friday.

I am pleased to confirm today that Hitachi and the UK Government have decided to enter into negotiations in relation to the proposed Wylfa Newydd project. This is an important next step for the project, although no decision has yet been taken to proceed and although conclusion of these negotiations will of course be subject to full Government, regulatory and other approvals—including, but not limited to, value for money, due diligence and state aid requirements.

A key focus of discussions with Hitachi has been, and will continue to be, achieving lower-cost electricity for consumers. Both the National Audit Office and the Public Accounts Committee have recommended that the Government consider variations from the Hinkley Point C financing model in order to reduce costs to consumers. In line with the NAO and PAC’s clear findings and recommendations, for this project the Government will be considering direct investment alongside Hitachi, Japanese Government agencies and other parties. Our partnership on this project will serve as a further example of civil nuclear collaboration between the UK and Japan, building on the memorandum of co-operation that was signed with that country in 2016.

The UK is likely to need significant new nuclear capacity to meet our carbon reduction commitments at least cost, particularly as we electrify more of our transport and heating, so alongside entering negotiations in relation to Wylfa Newydd, the Government will continue to engage with the other developers in the UK new nuclear market on their proposals for further projects.
This currently includes EDF over its plans for a follow-on EPR project at Sizewell C, CGN—China General Nuclear Power Corporation—over its proposals for an HPR1000 reactor at Bradwell, and Toshiba regarding the future of the NuGen project at Moorside, as well as Hitachi over potential further ABWR units at Wylfa and Oldbury.

It remains the Government’s objective in the longer term that new nuclear projects, like other energy infrastructure, should be financed by the private sector. Alongside our discussions with developers, we will be reviewing the viability of a regulated asset base model as a sustainable funding model, based on private finance for future projects beyond Wylfa, that could deliver the Government’s objectives of value for money, fiscal responsibility and decarbonisation.

Support for nuclear is reiterated in the nuclear sector deal that we will publish with the sector shortly. That deal, which the Government have developed in close partnership with the nuclear sector, will include ambitious proposals to drive down costs across the sector, including by reducing the cost of construction in new build and by investing in innovation in advanced nuclear technologies.

If the Wylfa project were to go forward following this period of negotiation, it would provide about 6% of our current electricity needs until nearly the end of the century, while supporting thousands of jobs, particularly in Wales, during its construction and operation. The actions this Government have taken will support a long-term pipeline for new nuclear projects in this country, and will provide the visibility needed to enable the industry to invest in skills, including through the National College for Nuclear, and UK supply chain capabilities across the country. I will continue to keep the House informed during the negotiations, and I commend this statement to the House.

6.28 pm

Rebecca Long Bailey (Salford and Eccles) (Lab): There is cross-party consensus that new nuclear will continue to play a vital role in the UK’s energy mix, and I am therefore pleased to hear that progress has been made, after some uncertainty, on the Wylfa nuclear plant. Given the well-documented failings of the Hinkley Point C deal, however, I am deeply concerned by the way in which the financing has been or will be negotiated—namely, the lack of transparency and parliamentary scrutiny thus far.

On 15 May, I wrote to the Secretary of State requesting information about the negotiations and I am yet to receive a response. Until the last few days, we have had to piece together snippets of information from the Japanese press, and titbits from energy and environmental groups. We have finally heard today that a deal will be negotiated with Hitachi, which media reports suggest will include a guaranteed strike price, loan guarantees and an equity stake in the project in exchange for direct Government investment.

I must say that this is a surprising shift from the Government’s ideological position against Government investment in new energy infrastructure, and I wonder whether the shift applies to other renewable technologies, for which support has been repeatedly cut by this Government. I suspect not. I must sound a note of caution. Without sufficient detail and transparency, the House is unable to determine the risks and benefits borne by consumers and taxpayers in the proposed deal.

Last year, the National Audit Office concluded on the Hinkley Point C deal that the Department had “not sufficiently considered the costs and risks of its deal for consumers.” The NAO made a series of recommendations, including mechanisms for reviewing value for money and the affordability of the deal; making it clear who is accountable for oversight and governance; ensuring that the cost and timing implications of alternatives are shown clearly; and developing a plan to realise the benefit across local economies and supply chains. Last year, I asked the Government to adopt those recommendations. So will the Secretary of State say whether he has done so and, if not, why not? However, if the Government have done so, will he publish all relevant documentation showing that each recommendation has been followed in relation to Wylfa or, indeed, confirm that they will be followed if they have not been processed yet?

Negotiations between the Government and Hitachi thus far appear to have been conducted behind closed doors. Will the Secretary of State say whether the House will be given time to scrutinise the proposed deal outline, or is this simply a done deal? If so, have any binding commitments been made or, for example, have any preliminary heads of terms or memorandums of understanding been issued? The NAO stated that “making commitments to investors can limit flexibilities to react to a change in circumstances.”

The implications of that need to be understood and communicated clearly to decision makers. It is important to ensure that the cost and timing implications of alternative funding arrangements are shown clearly—again, that is advocated by the NAO. If such alternatives have been, or will be, examined, can the Secretary of State provide the House with details today?

I move on to safety issues. It has been widely reported in the press that Hitachi is seeking to “reduce or eliminate” its financial responsibility for accidents. Will the Secretary of State say whether that is true? If so, where will such liability lie and what safety impact assessments have or will be carried out from construction and operation through to decommissioning? Indeed, on the issue of decommissioning, will he explain who will bear that liability and how much the cost is likely to be?

Despite the good news for Wylfa, subject to the queries that I have outlined, it appears that further down the Welsh coast the news is not so good for renewables generation. Media speculation suggests an impending negative decision on the much-anticipated Swansea tidal lagoon project after years of planning and campaigning by Tidal Lagoon Power, the Welsh Government, environmental groups and MPs across the House. If that is true, it is outrageous. To assume that Swansea is somewhat redundant, given the plan for investment in Wylfa, is very short-sighted.

I understand that Tidal Lagoon Power has offered to negotiate further, but has not received a response from the Government. Under the plans, there would be a zero-carbon power plant producing energy for over 100,000 homes, creating thousands of jobs across Britain; turbines built in a wall in the sea that harness the power of the tides, so that we can turn the kettle on in the morning; world-leading infrastructure built in Britain using British steel to last more than a century; and the potential to export our expertise and products across
[Rebecca Long Bailey]

the globe. An ambitious, decisive and forward-thinking Government would jump at a project like that, just as they have done with Wyllia. Well, perhaps not. Recently, someone joked to me that the desk of the Secretary of State was where good ideas went to die. I hope that that is not the case with the Swansea tidal lagoon, and I implore the Secretary of State one last time to stop messing about, and to sit down with the company and the Welsh Government to develop a deal urgently.

Greg Clark: I am disappointed that the hon. Lady did not continue in the spirit in which she opened her contribution. This is an important moment, and we are beginning a negotiation on a project that will supply energy to this country for the next 60 years, until towards the end of the century, which will create jobs and reduce our carbon emissions. She said that her party supported the proposal and that there was cross-party consensus—one could be forgiven for missing that in her tone—and it is important to establish that, because it is evident that any 60-year project will take place over the life of successive Governments. This country has given nuclear investors confidence over time that there is a strong commitment to such major infrastructure projects, so I hope that she will back the commitments that she and her party made in their manifesto last year to support new nuclear and recognise the considerable opportunities, as she put it, for nuclear power internationally and domestically.

The hon. Lady asked about the financing model. She urged me in a letter to reflect on the recommendations of the National Audit Office and the Public Accounts Committee to explore alternative financing models that can reduce the price of the electricity that is generated. That is exactly what I have set out—I have followed the recommendations of the NAO and the PAC. We are entering a negotiation—I think somewhere in her remarks there was a welcome for that—but the essence of doing so is that a deal has not been agreed. We need to explore that, and it is subject to the very tests that she set out and that the NAO and the PAC observed are required, including on value for money.

On safety, the hon. Lady should be reassured—there are many hon. Members who are familiar with the nuclear industry in this country—that the safety standards operated through our independent nuclear inspectorate are the highest in the world, and that the generic design assessment is the most exacting in the world. We always abide by the rulings and requirements of the independent regulators so that we can have full confidence in the safety of this important industry.

Finally, the hon. Lady mentioned other potential investments, including the proposal for renewable power in Swansea. She knows—we have had exchanges about it across the Dispatch Boxes—that I believe in a diversity of energy supply, but we need to make sure that value for money is offered for taxpayers and bill payers. A rigorous assessment is required and, as I have done today, I will update the House when the process is concluded.

John Redwood (Wokingham) (Con): How will the Government ensure, if they have a stake in the proposed investment, that when it comes to buying power they are fair between that investment and other people in the market?

Greg Clark: My right hon. Friend takes a great interest in this issue. When I made my statement on Hinkley he advised that we should consider using the Government’s balance sheet in that way, and we will consider that as part of the discussions. As for the contracts that are entered into, one of the requirements of the state aid regime is that any contracts have to be on a non-discriminatory basis, which will guide the letting of any such contract.

Alan Brown (Kilmarnock and Loudoun) (SNP): I thank the Secretary of State for early sight of his statement but, to be truthful, it did not tell us any more than we have been able to glean from the media today. I find the Government’s nuclear obsession mind-boggling. When Hinkley was first proposed all those years ago it was on the basis that it had to be commissioned by December 2017 or there would be a risk of the lights going out. All these years later, it will not be generating at full capacity until something like 2030, which seems to undermine the need for new nuclear.

Hinkley is shocking value for money, with a 35-year megawatt-hour strike price of £92.50, whereas recent offshore auctions have returned bids of £57.50 per megawatt-hour over a 15-year period. That is the real cost benchmark that the Government should use. Considering that the National Audit Office concluded that it would be impossible to know for decades whether building Hinkley represented good value for money for UK taxpayers, it is utterly incredible that we are diving headlong into another costly venture. The Secretary of State has said that he wants to do a sector deal, but we do not know what value for money that will provide. It has been reported that the strike price for the new power station will be something like £15 per megawatt-hour cheaper than at Hinkley, but how much of that cost reduction is due to the billions of pounds of direct investment from the taxpayer?

Given the company’s questionable track record on safety, will the Government confirm that Hitachi will be financially liable in the event of any accidents? Given the unprecedented level of taxpayer investment, how will the Government demonstrate that they have met the unprecedented level of taxpayer investment, how will the Government demonstrate that they have met the National Audit Office’s demand for a full value assessment before they finally sign off the deal, and how will Parliament be able to scrutinise that? When will we know the level of the financial commitments?

If the Secretary of State is so willing to commit taxpayers’ money directly for stakes in projects, will he consider paying for national grid upgrades to further facilitate the deployment of renewables, instead of tagging such upgrades on to the costs of renewable projects? As bad as the Government’s obsession with nuclear is, this is also about their attacks on renewable investment. When will they have a coherent energy policy and proper investment in future technologies rather than a technology that has had its day?

Greg Clark: I thank the hon. Gentleman for his comments. On statements to the House, I think all Members would recognise that I have come to the House at the earliest possible opportunity. It was today that the decision was taken to enter into negotiations. Members will know that I always keep the House updated and always will.

It is a bit rich of the hon. Gentleman to complain that new nuclear power will come online later in the 2020s, given that he and his colleagues have resisted the
replacement of our nuclear fleet, which we have known needs to be replaced for all this time. It is an act of responsibility on the part of this Government that we are planning ahead for the replacement of the 20% of our electricity that is currently generated from nuclear power. It is important for consumers in Scotland and in the rest of the United Kingdom that we do that.

The hon. Gentleman criticised what he regarded as the value for money of the Hinkley project. He will have heard me say at the time that that represents the highest price we will pay for new nuclear. I expect future new nuclear power stations to come in at a lower price. I have made it explicit today that that is a requirement of the negotiation. However, this is the beginning of a formal period of negotiation.

The recommendations of the Public Accounts Committee and the National Audit Office have shaped the approach we are taking. The value for money test has to be met, and at all the key milestones I will ensure that Parliament has the opportunity to scrutinise the progress of the negotiations.

**Sir Michael Fallon** (Sevenoaks) (Con): Does my right hon. Friend agree that this welcome announcement and offers a big export opportunity. Not only supplies to UK consumers at a lower cost but that is being delivered in a steady and orderly way. If we meet just the full cost benefits but the industrial and employment benefits, it is necessary to show that we have a pipeline of nuclear power plants to come in at a lower price. I expect future new nuclear power stations to come in at a lower price. I have made it explicit today that that is a requirement of the negotiation. However, this is the beginning of a formal period of negotiation.

**Greg Clark:** My right hon. Friend is absolutely right. He contributed with distinction as an Energy Minister and therefore recognises that if we are to achieve not only the full cost benefits but the industrial and employment benefits, it is necessary to show that we have a pipeline that is being delivered in a steady and orderly way. If we do that, as we have done with offshore wind, in which he was instrumental, we can establish an industry that not only supplies to UK consumers at a lower cost but offers a big export opportunity.

**Rachel Reeves** (Leeds West) (Lab): A thriving nuclear sector depends on the ability to move nuclear materials around safely and securely. At the moment, we do that via our membership of Euratom. What assurances has the Secretary of State been able to give Hitachi about our future relationship with Euratom, about nuclear co-operation agreements with other nuclear states and about the ability of the Office for Nuclear Regulation to recruit the safety inspectors we need?

**Greg Clark:** The hon. Lady will know from her involvement in the scrutiny of the Nuclear Safeguards Bill that we have made very good progress both on the proposed agreements with other nuclear countries and on our intended association with Euratom. I regard this as an area in which it is clearly in everyone’s interest to have the greatest possible continuity of the existing arrangements. That is no secret; it is known to any partner and any investor, including Hitachi.

**Stephen Crabb** (Preseli Pembrokeshire) (Con): I welcome my right hon. Friend’s statement. He will know that the Wylfa Newydd project will be the largest construction project in Wales for more than a generation, so what discussions is he having with the Welsh Government to ensure that we maximise the opportunities for the Welsh supply chain, which will be the backbone of delivering this important project in Anglesey?

**Greg Clark:** Of course, the opportunities for Wales follow from exactly the point that my right hon. Friend the Member for Sevenoaks (Sir Michael Fallon) made. The knowledge of the investment that will be made there provides great opportunities for people in north Wales and beyond to develop the skills that will be in high demand and to ensure that the engineering companies and other suppliers can gear up for this important work. Before I came to the House today I discussed the matter with the First Minister, and my right hon. Friend the Secretary of State for Wales spoke to Ken Skates, the Cabinet Secretary for Economy and Transport. We will work closely together to ensure that across Wales and, indeed, the United Kingdom, these opportunities result in real jobs and prosperity for the people of Wales and the UK.

**Sir Edward Davey** (Kingston and Surbiton) (LD): The Secretary of State knows that there have been two major revolutions in electricity since Hinkley Point C was initially agreed to: a dramatic cost reduction for large-scale renewable power and huge advances in storage technology. Given that renewables and battery storage will soon offer cheaper and more flexible security of supply than nuclear, where are those two historic shifts in electricity technology in his decision today?

**Greg Clark:** The right hon. Gentleman makes the very important point that we have seen progress in renewables and that we are seeing progress in storage. Today, nuclear provides just over 20% of the electricity we consume and wind provides 5.5%. My view is that we should have diversity in our energy supply—the wind will not supply all our needs every day. His point about storage technology is correct and he knows from the industrial strategy that we are investing in its development, but it is not at the stage where it can offer the reliable baseload power that nuclear, which supplies 20% of the UK’s electricity, offers now. That is a very important part of the mix.

**Mr Laurence Robertson** (Tewkesbury) (Con): Horizon Nuclear Power employs 350 people in my constituency, and I visited Hitachi in Tokyo fairly recently, so I welcome the Secretary of State’s announcement today. Does he agree that the fault over the past 30 years has been the failure of successive Governments to replace the existing nuclear power stations? I urge him to press ahead with these projects for the very reasons that he has given, of security of supply and the reduction of emissions.

**Greg Clark:** I agree with my hon. Friend. It is not a positive reflection on previous Governments that, knowing that this important contribution of more than 20% of our power supply was coming to the end of its life in the decade ahead, no plans were made to replace it. The fact that we now have a pipeline of nuclear power plants will provide confidence that source of energy will be maintained and, as we have discussed, provide important economic opportunities for people to enjoy successful careers and prosperity in that industry.

**Albert Owen** (Ynys Môn) (Lab): The Secretary of State’s statement on Wylfa Newydd is good news for my constituency, good news for north Wales, and good
news for the UK nuclear industry and wider industry. If we are serious about tackling climate change, we need to be serious about new nuclear and get on with it as quickly as possible. My constituents will welcome this announcement, but they will want assurances that the skills agenda is going ahead and that local people can have the quality jobs that previous generations in my constituency have had for over 40 years. I invite the Secretary of State to come to talk to training providers, local government and the Welsh Government so we can get this agenda up and running.

Greg Clark: I am grateful for the hon. Gentleman’s welcome. He knows very well the potential of the development for his constituents and those beyond. I had the pleasure, during the Anglesey Day he hosted, to meet many of the companies that would benefit. It is the case, I think, that some young people already working on the site have been to Japan for training purposes, deepening their skills and broadening their horizons. They will be very important engineers of the future in the UK. I am delighted that, subject to the success of the negotiations, this opportunity will be available for them.

Rebecca Pow (Taunton Deane) (Con): Does my right hon. Friend agree that, particularly with the electrification of more of our transport and heating, new nuclear is an essential part of providing the right energy load—including Hinkley Point C, adjacent to my constituency, with all the spin-offs it will bring—to meet our Government’s highly commendable carbon reduction commitments at least cost?

Greg Clark: I am grateful to my hon. Friend and I agree with her that nuclear should be a part of our energy mix. To be resilient, we should have a diverse energy mix. It is important that the cost of any project should be acceptable and affordable for bill payers as well as taxpayers. That will be an important principle in the negotiations, but if we are successful in that, it will make the contribution my hon. Friend describes.

Caroline Lucas (Brighton, Pavilion) (Green): May I put it on the record that there is not cross-party consensus on nuclear power? My question is about renewables. Investment in renewables is at an all-time low. Funding streams for clean energy are at their lowest level since 2008, despite solar and wind being the cheapest form of new electricity generation. I want to ask the Secretary of State again how he can justify this multimillion deal to prop up an outdated and hugely costly technology. The chief executive of National Grid himself has said that baseload is an outdated concept because the cost of batteries will come down very quickly and that technology will be much cheaper than new nuclear by the time it comes on board. Renewables are much cheaper and safer, and they are ready now. Why does he not choose them?

Greg Clark: The hon. Lady has, as she describes, a fundamental disagreement: she does not see any benefit from nuclear to the resilience and supply of our electricity. That has long been her view, but I am surprised that she would talk down our country’s achievements on renewables. She should know that as a result of decisions taken by this Government and our predecessor, we are now the leading nation in the world for the deployment of offshore wind. Taking a strategic approach and investing in the future with a pipeline, just as we propose for new nuclear, has resulted in jobs being created around the towns and cities, in particular the coastal towns, of this country. I would have thought she would recognise and welcome that.

Mr John Whittingdale (Maldon) (Con): Does my right hon. Friend agree it is important to maintain not just diversity of supply but diversity of suppliers within the nuclear industry? Will he therefore welcome the progress made in the construction of unit 3 of the Fangchenggang power station in China, which is the reference plant for the proposed HPR1000 reactor at Bradwell-on-Sea? Will he reaffirm his support for that project, subject to the generic design assessment and regulatory approvals?

Greg Clark: I agree with my right hon. Friend that having a diversity of energy sources is important, but so is having some degree of competition between suppliers. That is why I referred in my statement to the pipeline that is in prospect. On the GDA process, we of course welcome progress through that. For each of these projects, it is foundational that the safety case is demonstrated. It is important that they should meet that, but it is also important that they demonstrate that they offer value for money for both the taxpayer and the bill payer. In each of these cases, negotiations will focus on that as well as on other aspects.

John Woodcock (Barrow and Furness) (Ind): Is not a key part of lowering the strike price for Wylfa that the Government are now proposing a direct stake in the project? If that is the case with the Japanese firm Hitachi and the Japanese Government, surely the Secretary of State will offer the same deal to Toshiba for NuGen in Moorside, which will sustain up to 20,000 Cumbrian jobs.

Greg Clark: I recognise the support for the nuclear industry that the hon. Gentleman espouses. This is a statement about a very good development in a particular negotiation. He refers to the project at Moorside. As he knows, it is not at the same stage. We are responding to recommendations of the National Audit Office and the Public Accounts Committee to consider other financing models. It is the start of a negotiation, but I feel confident that we should take that step to commence.

Sir Desmond Swayne (New Forest West) (Con): But it is a nationalisation, isn’t it?

Greg Clark: No. The NAO report noted that all major energy projects have some involvement with the state. That is a feature of the current market not just in this country but around the world. We want to drive the best value for money for both the taxpayer and the bill payer.

Jonathan Edwards (Carmarthen East and Dinefwr) (PC): Now that the British Government have decided to invest directly in nuclear projects, surely they will be doing the same for other energy projects, such as the Swansea Bay tidal lagoon, or will this be determined solely on the basis of the contract for difference financing model?
Greg Clark: We have decided to enter a period of negotiations and consider the NAO and PAC recommendations. This is an announcement about this particular project. The House will see me make an update as we progress with the negotiations.

Bob Blackman (Harrow East) (Con): One of the consequences of the Labour party’s prevarication on the nuclear industry has been the deskilling of that industry. Will my right hon. Friend expand on his plans for skilling up our workforce, particularly our young people, so they get the opportunity to work in this thriving industry?

Greg Clark: My hon. Friend is absolutely right. I had the pleasure of visiting the National College for Nuclear in Somerset a couple of weeks ago. Seeing the opportunities that will be available to the next generation of nuclear engineers is an inspiring sight. I am pleased that this is now available for them.

Matt Western (Warwick and Leamington) (Lab): The Secretary of State will be well aware that several years ago the German Government took the decision to decommission their nuclear reactors and invest heavily in renewables and other suppliers. Given the significant cost advantage of offshore wind and the UK’s geographic advantage in delivering it, what do the UK Government know that the German Government do not?

Greg Clark: I am surprised the hon. Gentleman mentions that, because one of the problems Germany has faced is that the return to coal has increased the pressure on its greenhouse gas emissions. I checked before I came into the Chamber, and coal was contributing just 1% of our current electricity generation, compared with 20.5% from nuclear. If we are serious about meeting our climate change ambitions, we have to take decisions that are consistent with that.

Mr David Jones (Clwyd West) (Con): I congratulate my right hon. Friend on his statement, which will be widely welcomed in north Wales where Wylfa is such an important part of the regional economy. On timescale, he mentioned that the negotiations will be subject to, among other things, the requirements of state aid. Are we to infer from that that he anticipates the negotiations will be complete before 29 March next year, after which one would hope state aid would not be a consideration?

Greg Clark: My right hon. Friend is absolutely right. I had in my constituency, one of the few places that can actually machine the largest parts for these reactors, but in my constituency, is one of the few places that can actually machine the largest parts for these reactors, but it is in receivership. The receiver is selling off this capacity, and currently it looks as if it will go overseas. Will the Secretary of State take another look to see what role he and his Department can play in drawing up a plan to save that capacity for this country and make sure it forms an important part of his future industrial strategy, rather than simply being sold off to the highest bidder overseas?

Greg Clark: I referred in my statement to the nuclear sector deal and, in particular, investment in innovation in advanced nuclear technologies, which is the area the hon. Gentleman mentions. That initiative, which we will launch with the sector, is forthcoming, and of course I am happy to meet him to discuss the firm in his constituency.

Mr Robert Goodwill (Scarborough and Whitby) (Con): The Secretary of State in his statement highlighted the need to drive down the cost of the construction and operation of this new generation of nuclear reactors. In that regard, are we likely to see more reliance on offsite modular construction techniques? If so, will that present opportunities not just for Wales but right around the country, including for the expertise that already exists on the Tyne, the Wear, the Tees and, of course, the Humber?

Greg Clark: My right hon. Friend all good luck in securing a balance of advantages to the taxpayer between a lower strike price on the one hand and—no doubt—some cost and construction risk on the other. The aspects he highlighted—greater security, low carbon, greater diversity, jobs, supply chains—all apply equally to the fabulous tidal lagoon project mooted for Swansea. I do hope he can secure a positive response to the Hendry review as soon as possible.

Richard Graham (Gloucester) (Con): I totally agree that starting the negotiations with Horizon, based in the Gloucester business park, to secure replacement nuclear capacity and to deal with increased demand for electricity is a very good thing. I wish my right hon. Friend all good luck in securing a balance of advantages to the taxpayer between a lower strike price on the one hand and—no doubt—some cost and construction risk on the other. The aspects he highlighted—greater security, low carbon, greater diversity, jobs, supply chains—all apply equally to the fabulous tidal lagoon project mooted for Swansea. I do hope he can secure a positive response to the Hendry review as soon as possible.
Secretary of State meet a cross-party delegation of north Wales MPs to make sure we get this crucial aspect right?

**Greg Clark:** I certainly will. The hon. Gentleman is absolutely right. As we have discussed across the Chamber, one of the benefits of a clear pipeline is the ability to plan ahead and maximise the local opportunities to the benefit of his constituents and many others in Wales.

**Mark Menzies** (Fylde) (Con): I welcome the Secretary of State’s statement and continued support for the nuclear industry. Will he look at Springfields, the nuclear fuel manufacturer, which employs 1,200 people in my constituency, and do everything he can to ensure that the next generation of nuclear fuel is made right here in the UK?

**Greg Clark:** My hon. Friend is absolutely right. We announced £56 million of research and development for small modular reactors last year, and we are now looking at the financing and the regulatory framework. I mentioned the forthcoming nuclear sector deal. He will see substantial reference to this point in that agreement.

**Nigel Mills** (Amber Valley) (Con): I urge the Secretary of State to back small modular reactors, which could be the solution for lower-cost nuclear energy. Is there more the Government can do to help the industry bring forward these ideas so that we can be a leader in the world and not a follower?

**Greg Clark:** My hon. Friend is absolutely right. We announced £56 million of research and development for small modular reactors last year, and we are now looking at the financing and the regulatory framework. I mentioned the forthcoming nuclear sector deal. He will see substantial reference to this point in that agreement.

**Mark Pawsey** (Rugby) (Con): Today’s announcement is important and good news for the supply chain for the new nuclear plants. I wonder if I might join my hon. Friend the Member for Gloucester (Richard Harrington), who is responsible for industry, to ask the Secretary of State whether he anticipates a third. We have the site—the seventh site—and I could line up five developers under this proposal. Would the Secretary of State like to meet to discuss this further?

**Greg Clark:** I am happy to do that. I fondly remember a visit I made to a nuclear power station in my hon. Friend’s constituency some years ago. Perhaps he could bring me up to date with developments since.

**Several hon. Members rose—**

**Mr Speaker:** I call Mr Kevin Foster.

**Kevin Foster** (Torbay) (Con): Thank you, Mr Speaker; obviously you are saving the best till last.

I welcome today’s statement and the Secretary of State’s commitment to a new generation of nuclear reactors. He will be aware of the close link in France between nuclear and the navy and civil nuclear power in terms of long-term careers for those who serve in the submarines providing the deterrent. Will he do the same with our industry?

**Greg Clark:** My hon. Friend makes a very good point. The engineering skills we need in the armed forces and their civil applications can lead to careers that cross both. I will make sure that his recommendation is followed through.

**Chris Philp** (Croydon South) (Con): I warmly welcome this announcement, which, as the Secretary of State says, will help us to maintain a balanced, low-carbon energy mix. So many of these projects can be beset by delays—Hinkley C is an example—so may I urge him to progress this initiative with a sense of urgency and to carry forward the small modular reactor competition as quickly as possible?

**Greg Clark:** I will indeed. We will have more to say in the sector deal about small modular reactors. I stress to the House that we are entering a period of negotiations, and they have to meet some important requirements, but it is in all our interests that they proceed in an orderly way. The purpose of today’s announcement is to allow us to do precisely that.

**Mr Speaker:** In a moment I shall call the hon. Member for Walthamstow (Stella Creasy) to make an application for leave to propose a debate on a specific and important matter that should have urgent consideration under the terms of Standing Order No. 24. The hon. Lady has up to three minutes in which to make her application.
7.10 pm

Stella Creasy (Walworthamstow) (Lab/Co-op): I rise to propose that the House should debate a specific and important matter which should have urgent consideration, namely our role in repealing sections 58 and 59 of the Offences Against the Person Act 1861. I make the application not just in my name, but in the names of the members of the cross-party group who agree that it is time to reform abortion laws: the hon. Members for Totnes (Dr Wollaston) and for East Dunbartonshire (Jo Swinson), my hon. Friend the Member for Kingston upon Hull North (Diana Johnson) and the hon. Members for Dwyfor Meirionnydd (Liz Saville Roberts) and for Brighton, Pavilion (Caroline Lucas).

The impact of the Irish referendum has been felt around the world. Of the 2.1 million people who voted, 1.4 million voted to repeal the eighth amendment of the Irish constitution, which prevents abortion. In doing so, however, they have thrown a spotlight on the situation in Northern Ireland, where a million people are affected. It is a situation in which, if a UK citizen is raped and seeks a termination as a result, she faces a longer prison sentence than her attacker; it is a situation in which the mother of a much-wanted child who is given a heart-breaking diagnosis of fatal foetal abnormality is forced to travel overseas for treatment; and it is a situation in which UK citizens are currently on trial, including the mother of a 15-year-old girl who is on trial for buying her abortion pills. That situation is a direct consequence of legislation passed here in the House of Commons, which is why the House of Commons must act.

The Offences Against the Person Act is more than 150 years old. It puts abortion in the same category as homicide, destroying or damaging a building with the use of gunpowder, child stealing, rape, and defilement of women. It is the most common procedure undergone by women of reproductive age in our constituencies, yet even in 2018 they are shaped by that criminal legislation, to their own detriment. Stopping abortion provision does not stop abortions; it simply increases the risk that a woman will have to make a degrading and lonely journey overseas, will be forced to continue an unwanted pregnancy, or—worse—will buy pills online that may not be safe, with the threat of prosecution if she seeks medical help. It is little wonder that the United Nations has said that we must act, and that the Supreme Court is ruling on our human rights obligations this week. Devolution—even if it is functioning—does not relieve this place of our responsibility to uphold human rights, whether in Northern Ireland or elsewhere.

We must be clear about the consequences of keeping sections 58 and 59. Extending the Abortion Act 1967 does not address the impact of those pills, or the paternalism that means that women are not trusted to make their own choices. Nor does it impose a particular rule on Northern Ireland; it will remove the impediment to Northern Ireland’s making its own legislation. Members who may agree that it is a woman’s right to choose, but who wish to see the Assembly choose, can be reassured. Repealing the 1861 Act gives us the opportunity both to respect devolution and to respect women. The people of Northern Ireland cannot be held hostage to the ups and downs of the Brexit negotiations, the deals done in a hung Parliament, or the stalling of talks in Stormont. By repealing the Act, we as the UK Parliament can show women across the United Kingdom that we trust them all with their own healthcare, wherever they live. I ask Members to stand up with me, and join me in saying that this is the 21st century.

Mr Speaker: I have listened carefully to the hon. Lady’s application. I am satisfied that it is proper for the matter to be raised, and indeed discussed, under Standing Order No. 24. Has the hon. Lady the leave of the House?

Application agreed to (not fewer than 40 Members standing in support).

Mr Speaker: The hon. Lady has clearly obtained the leave of the House. I am satisfied that it is proper for the matter to be raised, and indeed discussed, under Standing Order No. 24. Has the hon. Lady the leave of the House?

Application agreed to (not fewer than 40 Members standing in support).

Mr Speaker: The hon. Lady has clearly obtained the leave of the House. I can advise colleagues that the debate will be held tomorrow, Tuesday 5 June, as the first item of public business. The debate will last for up to three hours, and will arise on a motion that the House has considered the specified matter set out in the hon. Lady’s application. I am grateful to the hon. Lady, and to other colleagues.

The Clerk will now proceed to read the Orders of the Day. I said that with momentary hesitation, because earlier a Member beetled up to the Chair to indicate his intense interest in raising a point of order, but he is now disinclined to do so. So be it; we are most grateful to the hon. Gentleman for the self-denying ordinance that he has applied.
Ivory Bill

Second Reading

Mr Speaker: I will, in a moment, call—hopefully in an atmosphere of calm and excited expectation of ministerial oratory—the Secretary of State for Environment, Food and Rural Affairs, upon whose every word I feel sure all Members present are hanging. They are in a state of some animation, but I know that they will wish to hear about the Ivory Bill and the reason it should be given a Second Reading as they listen to the Secretary of State.

7.15 pm

The Secretary of State for Environment, Food and Rural Affairs (Michael Gove): I beg to move, That the Bill be now read a Second time.

I well understand why so many Members were in the House to hear the application for a debate under Standing Order No. 24 made by the hon. Member for Walthamstow (Stella Creasy). I am sure that I speak for Members in all parts of the House in thanking her for giving us all an opportunity to discuss that important and urgent matter.

Nature, as we know, has the capacity to awe and to inspire, and there are few more awe-inspiring examples of nature than the African elephant. It is a remarkable, keystone species: an icon which, for many of us, sums up nature at its most impressive, transformational and powerful. It is an important species not just because of what it symbolises, and not just because of the economic power it plays, by the way in which it feeds and—without wanting to play our part and to show leadership. We have been invited to show that leadership by the countries at the sharp end. More than 30 African nations have asked us, and others, to do what we can to stop the poaching, to end the trade in ivory, and to restore balance and health to their nations by supporting their efforts to ensure that the African elephant can survive in the future.

Simon Hoare (North Dorset) (Con) rose—

Sir Oliver Letwin (West Dorset) (Con) rose—

Mary Creagh (Wakefield) (Lab) rise—

Michael Gove: I should be delighted to give way to my hon. Friend the Member for North Dorset (Simon Hoare).

Simon Hoare: I am grateful to the Secretary of State, whose Bill has my support. Will there be an opportunity, possibly in Committee, to consider including in its scope the Indian elephant, the rhinoceros and the narwhal whale?

Michael Gove: I thank my hon. Friend for his support. There will be an opportunity in Committee to consider whether the scope of the Bill is absolutely as it should be. A number of Members have previously indicated their interest in extending its scope to other forms of ivory, such as narwhal horns, and there will indeed be an opportunity to debate precisely that matter in Committee.

I am also happy to give way to my right hon. Friend the Member for West Dorset (Sir Oliver Letwin).

Sir Oliver Letwin: I am grateful to the Secretary of State for giving way, but I was going to ask him the same question and he has given exactly the answer I hoped he would give.

Michael Gove: It is always a pleasure to be on the same page as my right hon. Friend. I am also happy to give way to the hon. Member for Wakefield (Mary Creagh).

Mary Creagh: I thank the right hon. Gentleman for giving way. I certainly welcome the introduction of this Bill, but would he care to comment on the actions of his friend President Trump, whose Administration in March lifted the US’s ban on importing body parts of elephants shot by trophy-hunters? Will the right hon. Gentleman take the opportunity now to condemn without reservation the reversal of that Obama-era regulation?

Michael Gove: I absolutely will, because it is incumbent on all of us across the globe to take action. The specific request from African nations could not be clearer, so it is incumbent on us in the United Kingdom, countries in the far east—which often constitute the biggest market for ivory—and also countries like the United States, which has a distinguished global leadership role, to take action: it is incumbent on all of us to play our part as well.

I think there is an appreciation across the House of the importance of the elephant as a species. I mentioned earlier that it is a keystone species: if it were not for the elephant we would not have the means by which we maintain balance in the savannahs and grasslands of Africa. That is in the nature of the role the elephant plays, by the way in which it feeds and—without wanting
to go into too much detail in the House—the way in which it excretes. It is important that we make sure that the elephant survives, because without it savannah and grassland would not survive, and without it we would not have species like zebra or like antelope, and without them we would not have the magnificent predators—the charismatic megafauna, the lions and others which feed on those creatures. So by removing the elephant we would not just see one of the most iconic, beautiful and awe-inspiring species with which we share this planet disappear; we would also unleash upon Africa a cascade effect of environmental degradation and damage that I think none of us could possibly countenance.

Richard Benyon (Newbury) (Con): My right hon. Friend is making a very important point about the pyramid of biodiversity that is protected when one protects the megafauna at the top, but does he agree that conservation of the elephant is essentially a human interface that we have to get right, and that organisations such as the Northern Rangelands Trust in Kenya have been extraordinarily successful in making sure that local people see the value of wildlife? We can assist in that through our role as an international mediator, although we are not a range state.

Michael Gove: My right hon. Friend, who played an immensely distinguished role as a Minister in the Department for Environment, Food and Rural Affairs in leading on the defence of biodiversity and support for wildlife, is absolutely right. As well as acknowledging the role that elephants play as an iconic species in their own right and as a keystone species in guaranteeing biodiversity, the successful co-existence of elephants alongside man is a sign of an effective and functioning nation in Africa which is on the right path for the future. It has been so encouraging that enlightened leadership across African nations recognises the vital importance of ensuring that man and the elephant can live alongside one another in appropriate harmony.

It is also the case, of course, that there are forces within African nations that can see in the ivory trade an opportunity to make money, to feed organised crime and to support terrorist and other activity, and it is precisely because ivory poaching and the illegal wildlife trade sustain organised crime and subsidise terror that it is in the interests of all of us who not only want to protect nature and biodiversity, but want to see human societies and other states flourish, to take action to stamp out this crime, and that is what this Bill seeks to do.

Richard Graham (Gloucester) (Con): I welcome the Ivory Bill and the way in which the Secretary of State is putting forward the case for the elephant, but does he agree that one of the difficulties is that if we do things unilaterally they are unlikely to be as effective as if the whole world acts together? Therefore, if we look at the various measures that different parts of the world are taking, for instance the exemption for certain types of ivory from China or the different rules in different parts of Europe, we see that there is a real opportunity for a group like the G20 to harmonise the rules—which musical instruments are going to be exempted and so on—across the world.

Michael Gove: Yes, I absolutely take my hon. Friend’s point. It is important that we co-operate, and one of the things this country will be doing is hosting the illegal wildlife trade summit in October. My right hon. Friend the Foreign Secretary has already been working with other countries, including by visiting Argentina, as the leader of the G20, just two weeks ago, in order to ensure there is the maximum possible buy-in. I had the opportunity myself to talk to a variety of representatives of different nations at the United Nations just a couple of months ago in order to ensure there is that effective co-ordination.

However, there can sometimes be a tendency—I know my hon. Friend the Member for Gloucester (Richard Graham) would not succumb to this—to say, “We need to wait for others to act before we act ourselves.” In so doing, we fail sometimes to act with the urgency, and to show the degree of leadership, that will encourage others to follow. It is absolutely right to acknowledge the leadership shown by the Chinese Government and others in seeking to close their markets to ivory, but this is an opportunity, in this place and at this time, for our generation to show leadership as well. And the leadership we want to show is to specifically ensure that we reduce demand for ivory in this country and globally.

Jeremy Lefroy (Stafford) (Con): I welcome this Bill and declare an interest as chair of the all-party group on Kenya. Does my right hon. Friend recognise that this is long overdue? In 1989, under the leadership of Dr Richard Leakey, President Moi burnt about 20 tonnes of tusks in order to draw the world’s attention to this pillage of the African elephant. It has gone on for far too long; the population in the Selous in Tanzania has gone down from 55,000 to 15,000 in a decade.

Michael Gove: I thank my hon. Friend for his campaigning in this area; few people know more about, or are more effective advocates on behalf of, Africa and other developing nations than my hon. Friend. He is absolutely right that African leaders have been showing leadership for a generation on this, and it is important that we do our bit now.

I want, too, to give a particular vote of thanks to those of my colleagues in this House and another place who have shown leadership on this issue. I have mentioned Lord Hague of Richmond; as Foreign Secretary he outlined the case for action, and indeed worked with the Duke of Cambridge in order to secure international support for action. It is also the case that my right hon. Friend, the Members for North Shropshire (Mr Paterson) and for South Northamptonshire (Andrea Leadsom) when they were Secretaries of State in this Department laid the groundwork for the legislation we are now introducing. It is also the case that across this House, in every party, there have been campaigners who have consistently and relentlessly pressed the case for action and we would not be here without their endeavours. We also would not be in a position to introduce this legislation were it not for the fact that outstanding work has been done by a series of non-governmental organisations—WWF, Tusk Trust and others—and also, critically, without support from the public. When we launched a consultation on the need to take action, there were more than 70,000 responses. That is a clear indication of the extent to which the public want us to act, and the overwhelming majority of those responses were in favour of urgent action. We need urgent action because we know that the maintenance of a legal trade in ivory allows illegal activities to pass without effective countering.
Kerry McCarthy (Bristol East) (Lab): The Secretary of State gave a long list of those he wants to praise for their involvement in this, but will he join me in praising the rangers who do the work on the ground trying to defend elephants, rhinos and other animals against poachers? It is estimated that over 100 rangers a year lose their lives in violence because of the work they do.

Michael Gove: The hon. Lady makes an important point: the bravery and determination of those who do this work is outstanding. In countries such as Gabon individuals risk their lives to save elephants and safeguard the animals they love in a country to which they are deeply attached, and as it goes in Gabon it goes in many others countries as well.

The hon. Lady’s intervention also gives me an opportunity to thank our own armed services. As the Defence Secretary pointed out, only last week we dispatched more trained military personnel to support the work of rangers on the ground. That capacity of a country like ours to work together and use our expertise alongside the commitment of those from African nations will help us turn the tide and beat back the poachers.

Dr Julian Lewis (New Forest East) (Con) rose—

Michael Gove: With that, I am more than happy to give way to my right hon. Friend the Chairman of the Select Committee on Defence.

Dr Julian Lewis: Among the tens of thousands of people who responded to the consultation were my constituents, Susie Laan and Louise Ravula, who are part of a small but effective organisation called Two Million Tusks, representing the million elephants slaughtered in the past 100 years. They did some original research that showed that, in 72 auction houses covering 180 lots of ivory, 90% of the sales of those lots were unable to prove the provenance—in other words, the dating to pre-1947—of the ivory, which is a legal requirement for the sale of ivory at the moment. Does my right hon. Friend agree that that research proves that we need a pretty comprehensive ban if we cannot tell the date of the product being sold?

Michael Gove: My right hon. Friend makes the next important point in the chain of argument for legislation. Yes, we have restrictions at the moment, but they do not work. The existence of the current legal market allows illegally obtained ivory to pass as legally acceptable ivory or worked ivory for sale. In effect, that means that criminal organisations and those who are driven by the significant profits to be made by selling ivory into markets where there is a demand can use the weakness of the existing provision to pass illegal material off as legal. That is why we need to act.

The need to act, to be more precise and to change the burden of expectation is critical in the minds of all those who responded to the consultation and of those African and other leaders who are pressing action on us. They want to ensure that we take steps to communicate to the world that ivory should not be sold, trafficked or displayed in a way that encourages anyone to think that African elephant ivory is a good of ostentation that someone could derive pleasure from demonstrating their wealth by acquiring. The whole point about the trade in elephant tusks is that it is abhorrent and involves unspeakable cruelty, and every possible step needs to be taken to stop it.

Sir Roger Gale (North Thanet) (Con): My right hon. Friend will perhaps know that there was a debate in Westminster Hall on the fur trade earlier this afternoon. During that debate, the point was made very clearly that one of the reasons why that vile trade should stop was that there was no need for it. Is that not also the case for ivory? There is no need for it.

Michael Gove: My hon. Friend makes absolutely the right point. There is no need for it. This trade has been driven by a belief that, as a result of goods being worked or fashioned in ivory, they have a merit or a capacity to confer on their owner some sort of status. That is completely inappropriate. I sense that there is a recognition across the House that we need to send a message through this legislation and that, through its effective operation, we can end that trade.

Liz Twist (Blaydon) (Lab): Does the Secretary of State agree that it is important, particularly in the context of the online trade in ivory, to have strict enforcement provisions to ensure that we can follow up our good intentions with practical effects?

Michael Gove: I absolutely agree. The Bill is designed to ensure that we have appropriate ways of guaranteeing effective enforcement, including appropriate penalties. There will be civil and criminal penalties, if the Bill is passed, and those who break the law will face fines of up to £250,000 and criminal sanctions as well. That is only right if the deterrent effect is to be sufficient to ensure that people are not tempted to engage in the perpetuation of this evil trade.

One critical point that was made during the consultation was that, while those in the antiques and art markets are determined to do everything they can to close down the loopholes and to end the illegal trade that has contributed to poaching in Africa, there is an acknowledgement worldwide that there need to be some exemptions. Those exemptions must reflect decisions that have been made by past generations on the use of ivory and the way in which it has been deployed for artistic or cultural reasons in order to produce certain specific artefacts at specific times that have a particular value.

During the consultation, we looked specifically at exemptions for portrait miniatures. These are tiny but, in historical and cultural terms, hugely significant examples of fine portrait work from the 17th and 18th centuries, and they are valuable not because they are painted on ivory but because they are examples of exquisite artistic endeavour. Similarly, we except that there may be a range of items, including furniture, that are of genuine aesthetic merit and of which ivory forms only a small component. We propose to exempt items with a de minimis content of ivory, which no one is buying and selling because of the ivory but of which the ivory is an integral part.

Another exemption that we propose to introduce is for musical instruments. In the past, pianos, bagpipes and other musical instruments including violins required a proportion of their overall composition to be ivory. There are now replacements available, so we no longer
need to use ivory in any of those instruments, but will continue to respect the needs of the musical sector to have access to—and to be able to sell and buy—historically significant musical instruments from the past.

**John Mann (Bassetlaw) (Lab):** Would the Secretary of State accept that his commentary ought to be slightly amended, because we do not all recognise that historic ivory should be kept? Some of us think that this is an excuse for a continuation of the trade and that it creates loopholes and opportunities for those who wish to poach to masquerade their products as historic ivory. In fact, a bit like collections of shrunken heads, certain things were done by past generations, but in today’s more enlightened world, we do not need to keep those things. Some of us would rather see all ivory banned.

**Michael Gove:** The hon. Gentleman makes a powerful point and he is absolutely right. This is one of the reasons why we are introducing this legislation. There are occasions on which people attempt to pass off as works of artistic or cultural significance items that do not have that significance. They attempt to exploit a loophole and create an excuse or an opportunity to carry on this wicked trade. That is why the exemptions are so tightly drawn, and it is also why the onus is on any individual who wishes to sell an item to prove that it meets the stringent criteria. That switch changes the obligation and places it on the seller.

In the past, it was possible for someone to say—perhaps not genuinely—that they had no idea, and that they thought the item in question was artistically worked and of appropriate provenance and an appropriate age. They could say, “I had no idea. I am terribly sorry.” Those loopholes, excuses and opportunities will end with this legislation, because individuals will have to pay in order to demonstrate that the item they wish to sell meets one of the criteria. This will be a matter that we can debate in Committee, and of course we are now living in more enlightened times, but I believe that some items fashioned in ivory reflect the historical, cultural or artistic importance of a particular period or artistic movement and that we need to respect that, using a clearly high threshold.

I have mentioned that there will be exemptions for portrait miniatures, for musical instruments and for items such as furniture of which ivory forms only a small part. There is one other area. If an item is of truly outstanding historical or cultural significance, and if, for example, a museum wishes to ensure that an item of such significance can be bought and appropriately displayed, that will still be possible if the appropriate steps are recognised and met.

**Simon Hoare:** I fear that I may be talking myself on to the Bill Committee, but my right hon. Friend has just used the phrase “outstanding historical”. Clause 2, which—I hope he will accept that I make these remarks in good faith—needs some further work and clarity, refers to “outstanding artistic etc value” and puts a huge amount of weight on the Secretary of State in appointing advisers and issuing guidance. The country would breathe easy with my right hon. Friend taking those decisions, but “outstanding artistic” is a broad definition that means all things to all men—beauty is in the eye of the beholder. Will my right hon. Friend commit to thinking in Committee about how the wording can be clarified to give certainty to those with an interest in this area?

**Michael Gove:** I absolutely take that point on board. We want to ensure that individuals with sufficient expertise from organisations such as the Victoria and Albert Museum are in a position to provide a guarantee of the provenance and significance of the work. It is in no way our intention simply to say that something should be exempt either because of its apparent antiquity or because someone happens to consider it to be of aesthetic merit; we want to ensure that an academically rigorous process is undertaken to ensure that an item’s provenance can be guaranteed and that its aesthetic merit and its dating can be put beyond doubt.

**Mary Creagh:** Will the Secretary of State comment on the National Wildlife Crime Unit, which is key to tackling the illegal trade in wildlife and wildlife body parts? It is funded by DEFRA and the Home Office to the tune of £136,000 each a year—a paltry £272,000 a year in total. Will the unit’s funding be increased given the potential for free trade deals—if and when Brexit happens—and the danger that the UK could become a back door for body parts from third countries under the guise of free trade?

**Michael Gove:** It is no part of this Government’s intention—I hope that this will be the same for any future Government—to use any trade deals to erode or undermine appropriate protections for animal welfare and environmental standards. I cannot see how any Government would want to weaken the protections that we intend to place on the statute book through this legislation to end this abhorrent trade.

The hon. Lady rightly pays tribute to the work of the NWCU, and in the run-up to the illegal wildlife trade summit this October we will be looking not just to ensure that we can continue to staff the unit and support the officers who work in this field adequately, but to ensure that we go even further. As several Members have already acknowledged, this legislation, important as it will be, is not enough in itself to ensure that we can effectively counter the poachers and to ensure that the precipitous decline in elephant numbers is at last halted and reversed. The global leadership that I hope other nations will join us in showing at the October summit is critical to maintaining momentum in dealing with this trade. The continuing threat from not just our armed services, but the rangers referred to by the hon. Member for Bristol East (Kerry McCarthy) and others is also critical. It is also important that we continue generously and effectively to fund international development work in African nations to ensure that people can move towards a sustainable economic future so that the temptation that some may have to connive with or work alongside poachers is removed as well.

In contemplating our ambition to ensure that the African elephant survives and that Africa flourishes, it is critical to recognise that the legislation is not enough on its own. However, without this legislation, we will fail to provide the required leadership on the global stage, we will fail to play our part in ensuring that we close down this wicked trade, and we will fail to acknowledge that the United Kingdom has had its position as a global hub for trade and a centre of excellence in the arts and antiques market used and abused in the past by those who want to continue criminal activity. The responsibility to legislate, with appropriate considerations for exemptions and enforcement, but at pace and with determination, falls on the House at this time, which is why I commend the Bill to the House.
Sue Hayman (Workington) (Lab): This action to tackle the international trade in ivory is welcome, if not long overdue. As I have already confirmed to the Secretary of State, the Opposition will not oppose this Bill, but we will seek to improve it in Committee. Labour’s 2017 manifesto pledged an outright ban on the ivory trade, which was reaffirmed in our recently published animal welfare plan. There now exists widespread cross-party recognition that a comprehensive ban on the sale of ivory is needed. As we have heard, despite a ban on the sale of new ivory having been in place for over 40 years, the decline in elephant populations demonstrates that the ban has simply not stopped the illegal trade.

The illegal wildlife trade has grown rapidly in recent years, and is now estimated to be the fourth largest transnational illegal trade, worth around £15 billion a year. The illegal wildlife trade drives corruption and has also been linked to other forms of organised crime, such as arms trading, human trafficking and drugs. It is shocking that the number of elephants in the wild has declined by almost a third in the past decade, with about 20,000 a year being slaughtered—an average of around 55 a day.

While Britain is not a country of highest concern in our contribution to the global illegal ivory trade, there is evidence that the UK legal ivory trade is being used to launder illegal ivory, which is then legally and illegally shipped to Asian countries. While ivory sales have declined since 2004, a 2016 survey by TRAFFIC, the wildlife trade monitoring network, found that the UK was still a net exporter of ivory, and there was also some discrepancy in the numbers. The UK reported that only 17 raw tusks were exported to other countries, but importing countries reported that 109 tusks had arrived from the UK. TRAFFIC also found that UK ivory traders were often unclear about the laws around the legal ivory trade.

Our priority must be to protect elephants and all the other endangered species, as mentioned by the hon. Member for North Dorset (Simon Hoare), that are hunted for their ivory in Africa and Asia. We have all seen pictures of devastated elephant carcasses left strewn around, often with a young calf left by its mother’s body, mourning her loss. Such pitiful scenes remind us just what is at stake and why this Bill is so vital. We must send a clear message at home and internationally that the only ivory that we will value is on a live elephant in the wild. A more comprehensive ban on ivory, building on China’s decision at the end of 2017 to close its domestic ivory market, is a step towards giving the UK greater credibility in seeking to persuade other countries in Asia with a history of ivory trade—Thailand, Vietnam, Japan, Laos and Myanmar—to commit to closing their domestic ivory markets. I will be grateful if the Secretary of State can confirm today what action he is taking in that regard.

As well as the wide support for the ban from charities and politicians, the public also feel passionately about this ban. The Secretary of State mentioned that there were more than 70,000 responses to the Government’s consultation, making it one of the largest consultation responses ever seen by DEFRA. There is now broad consensus that the legal domestic ivory markets contribute to illegal poaching in two main ways: by fuelling the demand for ivory and by providing a hiding place for illegal modern ivory to be laundered through the legal market. However, despite the broad consensus in favour of a ban on ivory sales, there is also agreement, including from the WWF, that we need the exemptions that the Secretary of State outlined.

There will be an opportunity to debate some of the finer points of the Bill in Committee, but today I will touch on some key questions. We have heard about enforcement, and it is important that the Bill is properly enforced through adequate resourcing. It must be clear that there will be oversight and penalties, including imprisonment as well as heavy fines.

In response to my hon. Friend the Member for Blaydon (Liz Twist), the Secretary of State said that he would look to strengthen and resource specialised enforcement to combat illegal ivory dealing, particularly on the internet, and I would be grateful if he could elaborate further on exactly how he sees that being funded and resourced.

We also need further clarity on several of the definitions in the Bill’s list of exemptions. We have already heard about how we need clarity on what “museum quality” means in respect to musical instruments, art and portrait miniatures. There will undoubtedly be further questions on the de minimis rule, as well as on how we will close any loopholes through which the system can potentially be abused, such as by using the proposed replacement certificates.

Can the Secretary of State clarify whether he plans to issue any new sentencing guidance along with this new legislation? It is important that the judiciary have the right level of information and training to issue the appropriate sentences, which will then act as an effective deterrent.

The need for international co-operation on ending the ivory trade cannot be overstated, and the Secretary of State has talked about some of that work. The Opposition look forward to hearing more detail on the Government’s specific role and on the action they will be taking.

John Mann: As the leader of the Labour party has offered the Elgin marbles back to Greece, will my hon. Friend give a commitment that, if the countries from which any ivory in a British museum was originally extracted would like that ivory back—even if the purpose is to destroy such ivory—the next Labour Government will give back those ivory objects?

Sue Hayman: I thank my hon. Friend for his interesting contribution. I am more than happy to discuss that with the Leader of the Opposition.

Labour has always been the party of animal welfare, from banning foxhunting and fur farms in the UK to introducing our landmark Animal Welfare Act 2006. Our 50-point animal welfare plan, unveiled earlier this year, offers a comprehensive and ambitious set of proposals for advancing animal welfare standards, based on the latest science and understanding. Animal welfare policy must be taken seriously, must be comprehensive and must never be based on just a campaign of the month. As hon. Members will know, the Conservative party made promises to ban the ivory trade in its 2010 and 2015 manifestos. After it failed to act, the pledge was then quietly dropped from its 2017 manifesto. I am proud that Labour’s last manifesto called for a ban on ivory sales, and I am pleased that the Government have finally chosen to follow suit.
Kerry McCarthy: I very much welcome the Bill. Does my hon. Friend share my surprise that the Government have managed to introduce this 40-page Bill in a very busy parliamentary timetable but have not in the time to finalise legislation to ban wild animals in circuses? This week we have seen Slovakia become the latest country to introduce such a ban. The Wild Animals in Circuses Bill has been through pre-legislative scrutiny, and it has been kicking around for years. It is a very short Bill. Why cannot we pass it now?

Sue Hayman: I agree wholeheartedly with my hon. Friend. I would be pleased if the Secretary of State could announce when the Government will be banning wild animals in circuses. I am a sponsor of the Wild Animals in Circuses Bill, promoted by the hon. Member for Copeland (Trudy Harrison), and it would be extremely helpful if the Secretary of State could bring it forward.

I reiterate my assurance that Labour will support the Ivory Bill on Second Reading, and I hope that both the Government and the House will give careful consideration to how we can strengthen the Bill both in Committee and at subsequent stages.

7.54 pm

Mr Owen Paterson (North Shropshire) (Con): It is a great pleasure to follow the shadow Secretary of State, the hon. Member for Newbury (Richard Benyon), who has stated the Opposition’s support for the Bill. My hearty congratulations go to the real Secretary of State for introducing it.

We lose an elephant every 25 minutes, which is 20,000 elephants a year—we should all remember that incredibly simple fact. During this debate we have already lost two elephants. It is estimated that 100 years ago there was an elephant population of about 10 million, and the decline has accelerated. The great elephant census, published in August 2016, found that only 352,000 savanna elephants were left across the 18 countries surveyed—a 70% crash in numbers since 1979, when the total population stood at 1.3 million.

Encouraged by my then junior Minister, my right hon. Friend the Member for Newbury (Richard Benyon), and Charlie Mayhew, the chief executive of Tusk, I went to Lewa when I was Secretary of State for Environment, Food and Rural Affairs. Lewa is a brilliant example of how local landowners have created conservancies where the management of wildlife is jointly organised by local communities. The rangers, whom the hon. Member for Bristol East (Kerry McCarthy) mentioned, are all working together, and the local community sees real value in the wildlife. As a result, poaching has been reduced in Kenya in the past couple of years. Lewa is a brilliant example of how, if a local community can see the value of wildlife, it will participate in its long-term regeneration.

A couple of years ago I went to the Kruger national park in South Africa. Whereas in Kenya there was a chronic lack of equipment, in South Africa there was a major general with 35 years’ experience in the South African army who had aeroplanes, helicopters and 700 brilliantly equipped rangers, but they lost four rhinos the weekend I was there. The poachers in the Kruger will move on to the wonderful, huge elephants once they have gone through the rhinos, and the reason is money. Northern Mozambique is miserably poor, and if a person can get one rhino horn out of the Kruger it will keep their community going and they will be a folk hero in their little town.

I have seen two contrasting sides to this issue. There is a big demand for this product, mainly from the far east, and the obvious answer is to grow more. I have thought about this, and that answer is simply not practical. We will never produce enough elephants or rhinos to satisfy the colossal demand. The only answer is to do what this Bill does, which is to sever the demand.

I returned from my trips and met the then Foreign Secretary, my right hon. Friend Lord Hague of Richmond, and we sat down and organised what became the largest world wildlife conference anywhere. We had great help from my right hon. Friend the Member for Putney (Justine Greening), the then Secretary of State for International Development, who has sadly left the Chamber. She completely got my point about conservancies and bringing in the local communities.

Over 40 countries participated at the conference. Sadly I could not participate because I had an emergency eye operation, but the conclusion of the conference was exactly what we wanted: recognition that the illegal wildlife trade and the poaching that feeds it have, in some places, reached unprecedented levels. In response to the crisis, the London conference “aimed to reverse recent trends of increasing illegal wildlife trade through measures to eradicate the market…ensure effective legal frameworks and deterrents, strengthen enforcement, and support sustainable livelihoods and economic development.”

Also from the conference came the Elephant Protection Initiative, set up by five African countries, and only today I got an email with the latest update—that 18 African countries have now participated in the initiative.

That was all good, and we were world leaders at the time. Other countries then got ahead of us. President Obama and President Xi Jinping of China announced that they would introduce complete bans, and America did so in June 2016, with pretty tough exemptions. China, I think remarkably—this is a real credit to the Chinese Government—took decisions that have closed down whole factories. At the time, a Chinese Minister told me that 34 designated factories would shut and that China intended to shut down its whole ivory trade and manufacturing process by the end of 2017. In 2016 the French also brought in a near complete ban, with tight provisions on trade. We made the right announcements, but we did not actually take action. Meanwhile, those bans have had a significant impact on the value of ivory. It was about $2,000 a kilogram, and it is now about $700 a kilogram.

Our party promised a complete ban in our 2010 manifesto and, in effect, a ban in our 2015 manifesto. Lord Hague and I had not given up at that point, and we worked with non-governmental organisations such as Stop Ivory, Tusk and the Born Free Foundation. I also held meetings with representatives of the antiques trade; the chairman of the British Art Market Federation, Anthony Browne; the chief executive officer of the Association of Art & Antiques dealers, Rebecca Davies; and the secretary-general of the British Antique Dealers’ Association, Mark Dodgson. We came up with a text that they would have been happy to put in our manifesto, which reads as follows:
As hosts of the 2014 London Conference and the upcoming 2018 London Illegal Wildlife Trade Conference, we will continue to lead the world in stopping the trade in illegal wildlife products, which is responsible for the poaching that kills thousands of elephants, rhinos, tigers and other species, negatively impacting livelihoods and security. In response to overwhelming international opinion, expressed at both the CITES and IUCN meetings held in 2016, we will proceed with our commitment to introduce tighter legislation to close the domestic ivory market with appropriate exemptions covering objects of artistic, cultural and historical significance. We will further commit to support the range states of species impacted by illegal wildlife trade, in particular for elephants, rhinos and tigers and will continue to oppose any call for resumption in trade of products from these species.

When we see the number of people who have signed the petition and who have reacted, we see that had that been in our manifesto, the result of the election a year ago might have been different. It is a great pity that that was omitted from our manifesto. I really believe that what the Secretary of State has brought forward today does honour that jointly agreed statement, and it should encourage a speedy passage for this Bill.

Let me give a crude summary of where I think the antiques trade is at the moment. I think it admits that the Bill, as drafted, is tighter than it would like, but it can live with it. Anthony Browne has written to me, saying:

“Our primary concern now is that the Government’s exemptions should not be made more restrictive by amendment during the bill’s passage through Parliament.”

That is a very helpful statement from the antiques trade. As was said by my right hon. Friend the Member for New Forest East (Dr Lewis), who has sadly now left his seat, the Two Million Tusks report discovered that only 1.49% of lots for sale in auction houses contained ivory. Given that the total antiques market is worth about £9.2 billion, we see that we are talking about a round of drinks and the trade can probably manage without that business, although this should not be tightened up further.

I am fully aware that other Members are keen to speak, but I wish briefly to mention a few amendments that the Secretary of State might like to consider in Committee. It is obvious that exports, especially those to the world’s largest illegal ivory markets, are our most direct contribution to the global trade in poached ivory. An approximate analysis of the impact of the ban as proposed in the Bill is that about 25% of currently traded ivory items will fall under the exemptions. The UK exported about 35,000 ivory items to Asia from 2010 to 2015, which means that even with the exemptions in place, exports would still have totalled more than 8,000 items. That would mean the UK would still be among the highest exporters of antique ivory in the world, even on the basis of the proposed ban.

The overriding concern is that the sale of such important items to markets in Asia fuels ivory’s desirability in the minds of consumers. Most people will of course not be able to afford to buy the rarest and most important items that this exemption is to cover, but seeing those pieces being acquired by people in their country will reinforce ivory as a luxury commodity that people wish to own, fuelling desire for items with many of which are likely to be fakes from newly poached ivory. The exemptions in the Bill must therefore be incredibly rigorously defined and enforced.

As a start, I wonder whether the Secretary of State would consider having an annual register of how many items exemptions have been issued for under the historical, artistic and cultural definition each year, with a full description and pictures of each item. Such an annual register would be publicly available, and it would demonstrate the commitment that this exemption is for the rarest and most important items only and would allow public scrutiny.

Let me make a few brief suggestions as to how to improve the Bill. Clause 3(1) would be greatly improved if it were to specify documentary evidence to support the application and establish the legality of the item, including age and provenance, as well as proof of identity and the owner’s address. Documentation will not always be available, but the lack of documentation would be a factor in the assessment. This applies in particular to online sales and exports. I would be very grateful if the Minister could provide a little more detail on how he thinks these regulations will apply to online sales, where we know flagrant cheating takes place. The declaration provided for in clause 3(1)(d) should include confirmation that the dealing complies with the convention on international trade in endangered species, or CITES, and the Control of Trade in Endangered Species Regulations, or COTES.

The exemption certificate specified in clause 4(1) should also include the name of the owner, given the reference to an exemption certificate being issued to a “different person”. In general, a new owner of an item subject to an exemption certificate should be required to register their ownership, whether on a prohibited dealing or not, so that a record of ownership is maintained. That will help the register. On clause 4(5), more safeguards are needed on issuing replacement certificates. An item could have several replacement certificates, which could be used to sell items illegally. Under clause 4(5)(b), how could someone legally acquire an item but not obtain the certificate? Careful attention to the numbering system might resolve that issue. On clause 6, we need a clarification of what a “portrait miniature” is—we need a definition.

Importantly, on clause 9(5), the exemption does not apply to items that consist “only of unworked ivory” and therefore excludes tusks. I understand that that is the opposite of what was intended. This is the only reference in the Bill to unworked ivory, and specifying it in this provision calls into question what is meant in the rest of the Bill. Those words should therefore be removed.

The defence of ignorance in clause 12 is a real concern, particularly as it is well known that that the illegal trade is fuelled by unscrupulous traders marketing ivory as a bone or as ivory sourced from other species, such as a mammoth. There should therefore be a basic sanction based on strict liability.

The Secretary of State should also be able to include other ivory-bearing species not listed in the CITES appendices in clause 35(3). As the Born Free Foundation has indicated, there has been an increase in the purchasing of hippo and other non-elephant ivory in the UK to replace elephant ivory in the internal trade. The BFF infers that the legal and illegal trades are targeting these other species, as the Government’s focus is on elephant ivory. Given that the total number of hippo in Africa is about 25% of the figure for the elephant population, a ban must be careful to ensure that it does not unintentionally place these species under yet more pressure. It would
therefore be sensible to specify hippos in the Bill now, rather than to have the delay of putting through a statutory instrument later.

Kerry McCarthy: I agree with the right hon. Gentleman about extending this provision to other species. Subspecies of hippo, warthogs, walruses and whales are all in the CITES appendix of endangered species, so the approach being taken does not seem to make sense. We know that this will be the only time we have an Ivory Bill before this House for many years to come, so if we are going to try to protect those species, it makes sense for us to do it now, in this Bill.

Mr Paterson: I am grateful to the hon. Lady for her support and I totally agree: if we have the option to put this in, which the clause gives us, we should just get it in the Bill. We know that there will quickly be a diversion to hippos if we do not provide for that.

I am fully aware that others want to speak, so I come to my last point, which is about enforcement. I had interesting negotiations with our current Prime Minister when she was Home Secretary about funding the national wildlife crime unit, and I am pleased to say that that funding is to run until 2020. We would like a strong, firm reassurance from the Minister that this legislation will need enforcing and will need the right level of expertise. The wildlife unit is absolutely brilliant; it is located just south of the river, in a strange suburb where there is a large, redundant Russian tank. For those who cannot find it, I should say that it is painted in party colours. I recommend going to see the NWCU, however, as it does fine work. We need clarity that it will be beefed up and properly resourced for the future. On the same grounds, the CITES Border Force team at Heathrow needs sufficient levels of manpower and resources, as they will be our frontline of defence against illegal imports and organised criminal activity coming into the UK.

The London illegal wildlife trade conference is back on 10 and 11 October. With this Bill, we have a wonderful opportunity to regain our leadership on this issue. How quickly can the Secretary of State get this Bill, which we all support, through its parliamentary process and on the statute book? I will support the Bill this evening.

8.9 pm

Dr Lisa Cameron (East Kilbride, Strathaven and Lesmahagow) (SNP): The Scottish National party welcomes the fact that robust measures to help to protect elephant populations for future generations are one step closer to becoming law and being realised. Today is a good day in Parliament, for this is the right thing to do and we are getting on with achieving it together.

I am pleased that work on the Bill has included widespread consultation with experts, including the environmental groups and charities that see the desperate plight of the decline in elephant populations and the carnage of poaching. They have worked so very hard, and I pay tribute to the International Fund for Animal Welfare, Stop Ivory, the Born Free Foundation and Tusk, to name just a few. The general public overwhelmingly support a ban on ivory, guiding Parliament, as they always do. We must be mindful that we are simply the representatives of the people’s voice. With the 70,000 responses to the consultation, the people have spoken, and we must listen.

Musicians and representatives of the antiques trade have contributed to the process, stating that the preservation of ancient ivory is important, but fundamentally ivory belongs to elephants and rhinos—to nature, not to mankind.

John Mann: In respect of the stacks of ivory that the Scottish Government have in their museums, will they be prepared to destroy those horrendous objects or to offer them back to the countries from which they were originally poached?

Dr Cameron: I thank the hon. Gentleman for that intervention. I am well aware that he is keen to destroy our ancient bagpipes, or perhaps to send them back to Scotland, where they belong. [Laughter.] That is certainly an issue for the Scottish Government and they will take it forward.

The cross-party support for the Bill is absolutely astronomical. People often ask whether we spend all day in this Parliament arguing just for the sake of it. I have to remind them that some of the very best work, which is often not reported on—the majority of our best work—is completed with cross-party agreement.

The Bill is a perfect example of that. It forms part of our party’s manifesto commitments and also my personal pledge to my local constituency in 2017.

I wish to touch briefly on several issues that will require further consideration in Committee. The wording “rarest and most important” appears to have been altered to “rarity”. There is concern that the test may have been toned down. We hope that the wording will remain as strong as possible. Guidance is required alongside the Bill to ensure that adequate safeguards are in place for its implementation. An annually published register would assist, to determine how many items have been issued each year with exemptions and to ensure the veracity of this crucial legislation moving forward. Safeguards are needed for the issuing of exemption certificates, as they could be replicated to sell illegal items.

Also, we need assurances that the assessor will be employed by the institution doing the assessment rather than appointed, so that they have no conflict of interest in commercial trade. A definition of portrait miniatures is needed. New legislation must be enforceable, and it is important that there is permanent funding for the national wildlife crime unit so that that can be in absolutely no doubt. Finally, sentencing guidance will need to be timeous to ensure that those who seek to ignore this critical legislation and who engage in such atrocities against nature are punished severely from the get-go.

When I was in Kenya with the International Development Committee, I had the privilege of visiting Nairobi national park and the Sheldrick elephant orphanage, where I spent time with the valiant rangers who protect baby elephants whose mothers have been killed. They were tiny little elephants that came up to my waist—and unfortunately I have quite short legs, so the House can imagine how tiny those little elephants were. They needed nurture to survive, but had been taken from their mothers and their natural environment, ravaged by the greed and destruction of mankind. I pay tribute to those involved in the vital work to rehabilitate those elephants and get them back into the wild.
The SNP will support the Bill in Committee and at its subsequent stages. Today, we turn a corner, working together for a future in which elephants survive and continue to stride proudly across the savannahs of our natural world, for future generations.

8.15 pm

Neil Parish (Tiverton and Honiton) (Con): It is a great pleasure to follow the hon. Member for East Kilbride, Strathaven and Lesmahagow (Dr Cameron), who made the point that the Bill has cross-party support. I welcome the fact that the Secretary of State has taken the bull by the horns—perhaps that is the wrong analogy to use in this instance—and very much taken on board the ban on ivory sales. He is driving it forward in his characteristically forceful way. I urge him to go even further, because it is the international ivory trade that matters. It is great that the Chinese are introducing a ban, but we need many Asian countries to stop buying ivory, because if there is no value in ivory, people will not risk their lives to deliver it around the world. We are setting a great example.

I pay tribute to my right hon. Friend the Member for North Shropshire (Mr Paterson) who did a lot of very good work when he was Secretary of State. In his characteristic way, he was a hands-on Secretary of State and went right to the heart of Africa to see what was happening.

As we sit in the House today, we do not realise the dangers faced by the rangers. As the hon. Member for Bristol East (Kerry McCarthy) said, they risk their lives, day in, day out, to try to protect elephants. In many African states, the political and military situation is difficult, and in many places wars are going on, so there is added danger for rangers trying to protect elephants. Through everything that we do, including international aid, we need to try to make sure that we can deliver a better life for so many people in Africa so that they do not go out poaching and can find other ways to make a living. That way, the rangers will not have to risk their lives, day in, day out, to try to protect elephants.

We cannot keep losing more than 20,000 elephants a year. They will be extinct, if not in our generation, certainly in the next. We cannot allow that to happen, so this ban on the sale of ivory in this country is a good step in the right direction. I know that those in the antiques trade are worried, but the problem is that it has been so difficult to identify what is antique ivory and what is not, so a ban on the sale of virtually all kinds of ivory is the best way forward. If we can stamp out the demand, we will drive down the value, which will save many elephants throughout Africa.

I very much welcome what the Secretary of State is doing and know that he will raise this issue internationally and in all his discussions around the world. We do not want to see America rolling back its position and allowing more ivory into America, because that would increase the demand. With the market in China now drying up, we really have the chance to save many more elephants in Africa.

When the ban on the sale of ivory is introduced, will the Secretary of State make sure that it is vigorously enforced? It is no good introducing legislation unless we can enforce it vigorously. Can we also make sure that the penalties for those who wilfully ignore the ban are proper deterrents? Again, it is no good introducing legislation if there are no real teeth to make sure that people adhere to it. We want to be certain that we are not going to trade ivory in this country.

We can bring about a huge reduction in the number of elephants that are slaughtered throughout the continent of Africa. Earlier, Members questioned whether we needed to protect the Indian elephant. Indeed, there are also other species of animals with ivory that we may need to protect as we go forward. If anybody can get a measure through this House quickly, I believe that it is you, Secretary of State. With the support of the shadow Secretary of State and of Parliament, I believe that we can do this. There are times when Parliament robustly debates matters. There are times, dare I say it, that Prime Minister’s questions resembles something of a bear garden. However, there are times such this when we can all unite. This Bill is long overdue. Many of us have been campaigning in this House for a ban. I very much welcome what you are doing, Secretary of State, and I am sure that it will have complete cross-party support tonight. I urge you to work even faster—

Madam Deputy Speaker (Mrs Eleanor Laing): Order. I just cannot let the hon. Gentleman get away with this. It was alright the first time. Then I tried not to listen to the second time. But then he referred to the Secretary of State as “you” for the third time. I simply would not be carrying out my duty if I did not stop him and ask him to please address the Chamber through the Chair. Just call the Secretary of State “he” or “Secretary of State”, or “the right hon. Gentleman”, or something other than “you”—please.

Neil Parish: I apologise, Madam Deputy Speaker. I did not intend to offend anybody. I will just say to the Secretary of State that you will—[Interruption.] The Secretary of State will get on with the job and deliver this Bill as quickly as possible, with the help of cross-party support.

8.21 pm

John Mann (Bassetlaw) (Lab): Let me add my congratulations, too. As I told a group of constituents in this very Chamber this morning, my role as a Back-Bench MP is to highlight the idiocy of the Front-Bench spokesperson who should be immediately sacked for failing to listen to the wisdom that I offer, or immediately promoted to greater things for their infinite wisdom. I offer the Secretary of State the opportunity not to have his career spiked by suggesting that he listens to me on this question of museums and artefacts.

I offer the Labour Whip, my hon. Friend the Member for Bristol West (Thangam Debbonaire), my willingness to sit on the Bill Committee in order to ensure that the detail of the Bill is sufficiently clear to meet the purposes and the wishes of the House. I am sure that the shadow Front-Bench team will be delighted to have me in some Committee Room for a period of time on such important matters. None the less, I volunteer to do it, and I look forward to receiving the call.

As well as congratulating the Secretary of State on bringing forward, very appropriately, this piece of legislation, I also must congratulate two women Members of
Parliament who have campaigned on this matter very assiduously over very, very many years. I am now desperately trying to remember their exact constituencies. I am talking about my hon. Friend the Member for Bristol East (Kerry McCarthy) and the hon. Member for Mid Derbyshire (Mrs Latham). They have both worked assiduously, and both have challenged their own parties to ensure that progress is made on this matter. That is not always the easiest thing to do. I pay tribute to them. Their role has been important.

Of course, one can have quibbles, and that is what Bill Committees are for—or Committees of the whole House if one does not have the opportunity to serve one's country in that way—in order to strengthen and improve any Bill. There are some small issues to deal with. However, with due respect, I shall not give my own Front-Bench team such an easy time by merely referring to our party leader when it comes to discussions on our policy. We are a very democratic and open party and autonomy is given to the Front Bench. Therefore, in the Bill Committee, I am anticipating that my party will look at the question—let us call it the Elgin question—of what happens to artefacts. I am not just referring to the Scottish Government; there are local authorities across the country that could be doing things as well. I am not saying this to add humour to the debate. The situation with the elephant species and our responsibility to the planet has reached a critical point. That has been cited by all the experts, and, of course, the most famous of all of those in this country is David Attenborough. I seem to recall him saying that we are at the last 1% of time in terms of the population of these great species.

Frankly, if we cannot deliver on this, we do not deserve to be parliamentarians. We have a moment and a chance to do something, and we must take that chance not just with a piece of legislation, but with what goes beyond it. This matter needs to be addressed, along with two others. The first of those others is cyber-crime. The Government are currently investing lots of resource in cyber-crime—and correctly so. Cyber-crime involving the trade in endangered species, not least in ivory, is phenomenal. I pay tribute to the work that eBay has done to ban ivory from its sales. There are also many other ways in which the internet is being used for trade. I think that we could be wiser and sharper. At the conference in October, trade must be a vital part of the agenda, because, by definition, international co-operation can be the only effective way of dealing with such cyber-crime. We can lead the way as well by tweaking our legislation and by improving our resource.

The other matter that I wish to address is in relation to our international development work. The Batwe, the forest dwellers, are, without question, the poorest people on the planet, and yet, as the custodians of the forest for millennia, they are a perfect group of people for protecting the forest elephants in particular. The small numbers of the Batwe who remain are vastly unemployed and live in the most pitiful of conditions on the edge of the forest in places such as the Democratic Republic of the Congo, Burundi and Uganda. There is an opportunity to do something that would be both humanitarian and effective. With the Bishop of Durham and other parliamentarians, I have had the honour and privilege of visiting the forest with an income and making a critical contribution to protecting such people and to renewing their traditional way of life. The two things come together very smartly, but straightforwardly. There is also an opportunity to experiment modestly, but urgently, to see whether that works. It would be significant if there were a country willing to accept our assistance.

My next point has been mentioned by the Secretary of State: the use of the British Army in ranger training. I have actually just approached the Royal College of Defence Studies and suggested co-operating on writing a paper on this. Such training has been done successfully in Malawi and in Gabon, but we also have a vested interest. We could give the Parachute Regiment, for instance, a training opportunity in an area of danger. For example, they could use drone technology in training rangers—which military, civilian or a combination—in countries that want to do that. That is a huge training opportunity in these less conflictual times.

It is far better to carry out such training in large countries such as Tanzania, Botswana or Zambia, or wherever there is a country that wishes to receive such training. We win in a very significant way by training our military. Where else? We do drone training on Ascension Island because we cannot find anywhere big enough in this country to do it. Yet, that technology would clearly be transformational if it were given to rangers who were trained to use it.

I had the privilege of opening and assisting at the US embassy’s annual technology challenge, which addresses the issue of dealing with wildlife crime through technology. The event takes place annually in London, and allows entrepreneurs from the IT sector here to develop products to assist in countering wildlife crime using the most advanced technology. It is a brilliant initiative by the Americans. There is a combination of factors, and we can use our skills there. We can facilitate the development of those skills in countries that want them and that can quite clearly see the economic benefit of doing so in terms of direct jobs and the tourism potential. Far more importantly, this is about national identity and national pride. This is about indigenous species in countries in both Asia and Africa that are in danger of being wiped out, so it seems that these measures would be an easy win.

We could put in considerable resource compared with what was there before—in fact it would actually be minuscule in terms of what we are doing anyway, because we already have to train our own people. We have that training ability and we have the ability to pass it on. And I would go further. Some of the best ranger trainers and counter-poacher rangers in Africa are ex-British military and this would be a great opportunity for those who have served our country to develop skills, particularly if they pass them on.

I recommend those policies to Labour Front Benchers as well. With that, let me congratulate the Government on their brilliance and look forward to assisting them in realising their goal.

Several hon. Members rose—

Madam Deputy Speaker (Mrs Eleanor Laing): Order. I am afraid that I have to implement a time limit of eight minutes.

8.32 pm

Zac Goldsmith (Richmond Park) (Con): It is a great honour to follow the hon. Member for Bassetlaw (John Mann) and I strongly endorse much of what he said.
This Bill is pure good news, which is a very rare thing in Parliament, from my short experience. I thank the Secretary of State for being true to his word and actually delivering the Bill, having promised that he would do so.

The situation today is desperate. As we have heard, every 25 minutes, an elephant is killed for its tusks. That is 20,000 elephants a year. There has been a 90% collapse in the elephant population in the last century. Notwithstanding the leadership that this country has undoubtedly shown in recent years, the UK has historically been a very big part of the problem. According to TRAFFIC, it is estimated that the amount of ivory equivalent to that from more than 1 million elephants was transported from Africa to the UK between 1860 and 1920. As we have heard, we are still significant exporters of ivory today.

We are on the brink of losing forever the world’s most iconic species—a sentient, highly intelligent animal. And we are not doing it for any justifiable or noble reason; we are doing it so that a few people can have trinkets. It is a brutal, barbaric business that directly funds some of the most abhorrent organisations on the planet today. In the case of al-Shabaab, the organisation responsible for the appalling events in the shopping mall in Nairobi six years ago, it is estimated that 40% of its funding comes from the ivory trade. We know that, where poaching happens, it enriches the worst possible people, but it also destabilises and impoverishes whole communities.

We also know that bans work. In 1989, we had a worldwide ban approved by CITES and immediately poaching levels fell dramatically—as did, by the way, the price and the value of ivory. Tragically, 10 years later, after suspicious levels of lobbying, so-called one-off sales were allowed, and the market was flooded with legal ivory, in turn making it easier for traders to launder illegal ivory. That is exactly why the Bill that we are passing today—I very much hope we are passing it—is so important. If it is passed, we will have introduced one of the toughest ivory bans in the world.

That is fantastic news but, at the risk of sounding churlish, I want to make a few minor suggestions. First, I very much hope that the Bill is passed—I am speaking more quickly as the great Secretary of State departs the Chamber; I hope that he catches this point—before the illegal wildlife trade conference in October, because otherwise we will lack the authority that we are going to need in order to be able to ask other countries to do their bit, and we will need to ask a lot of other countries to do a great deal.

Secondly, the ban will be meaningful only if it is properly enforced, so we need to provide a long-term settlement for the National Wildlife Crime Unit, as well as resources for the CITES border force team. Thirdly, as we have heard, the Bill currently applies only to elephant ivory. The risk is that we will be displacing demand from elephants to other ivory-bearing species such as killer whales, sperm whales, walruses, hippos and narwhals, all of which are under varying levels of threat. There are only 100,000 hippos in the world today. That is staggeringly depressing. I hope that the Government will look again at including a wider range of species in the Bill.

In October, we have the IWT conference, following the first one four years ago. It is right that we should celebrate some of the good news. It is fantastic that China is closing down its state-owned carveries and banned all domestic ivory trade at the end of last year. The US has introduced a near-total ban. Hong Kong is promising to do the same. However, we must also acknowledge that the problem is growing, not shrinking, despite everything we have heard and seen over the past few years. The conference is an opportunity for us to exhibit real ambition. We need to use every lever at our disposal to encourage other countries, including the members of the European Union, to introduce their own ivory bans as a matter of urgency.

We need to tackle online crime. We heard a bit about this from the hon. Member for Bassettlaw. So much of the trade has shifted online. I recommend that colleagues read a recent report by the International Fund for Animal Welfare called “Disrupt: Wildlife Cybercrime”. It paints a very bleak picture, but it also gives reason to be cheerful. In March this year, 21 companies, including Google, eBay, Facebook, Instagram, Microsoft and Alibaba, joined forces with the WWF, IFAW and TRAFFIC to launch the Global Coalition to End Wildlife Trafficking Online. And it works: in just one year, eBay removed more than 25,000 listings from its site.

We need to expand the focus of the summit beyond ivory. In the past decade, more than 7,000 rhinos have been poached for their horns. Grey parrots are being hoopered out of the African continent at a totally unsustainable rate. Since 2000, 1 million pangolins have been caught and sold for meat and medicine. Fisheries are being desecrated by illegal fishing operations all around the world, plunging the communities that depend on them into desperate poverty. This is organised crime on a massive scale. That needs to be reflected in our approach.

Finally—again, I echo some of the remarks by the hon. Member for Bassettlaw—we need to see a much greater emphasis on this and a greater level of commitment to it from the Department for International Development. It is extraordinary that just 0.4% of our vast official development assistance budget goes towards nature, let alone tackling the illegal wildlife trade. We may be part of a small club of nations honouring our commitment to meeting the UN target on overseas aid, but we are miles behind countries such as Germany, the USA and others when it comes to funding restoration of ecosystems, tackling wildlife crime and protecting the environment. There is a link between poverty alleviation and environmental sustainability—that is well established and unarguable. That must now finally be reflected in the work of DFID, not least so that the public, many of whom are very sceptical about its very existence, can buy into it and understand what it does. It is time for DFID to wake up.

Alex Chalk (Cheltenham) (Con): Will my hon. Friend give way?

Zac Goldsmith: I was just finishing, but I will take an intervention.

Alex Chalk: I am grateful to my hon. Friend; I have ruined his peroration. Does he agree that there would be a great deal more buy-in from the public if the
Department for International Development were renamed the Department for International Development and Conservation, so that people could understand that that was a key part of its mission?

**Zac Goldsmith:** I totally agree with the thought behind my hon. Friend’s question. Whether that should be the Department’s name, I do not know, but I agree with where he is coming from.

There is a clear link. One only has to look at Somalia. There is a direct link between the collapse of the fisheries off the coast of Somalia—the moment when it was declared a dead zone by the United Nations—and the rise in piracy. There were tens of thousands of families with boats and children to feed, and knowledge of the seas but no fish to catch. What did they do? They became pirates. The same is now beginning to happen around Senegal as a consequence of illegal activities by vessels from all around the world. When we destroy ecosystems, we plunge the poorest people—the people who most depend on the free services that nature provides—into hideous poverty. It is the most destabilising thing we can do, and DFID has not yet exhibited any understanding whatsoever of that well-known and well-understood phenomenon. It is time for DFID to wake up.

**Jim Shannon** (Strangford) (DUP): It is always a pleasure to speak in debates on these issues. First, I want to state that I fully support the Bill and congratulate the Government and the Department on the way they have constructed it. They have put a lot of effort into ensuring that there are the necessary exemptions for ivory in musical instruments and antique ivory.

I am a country sports enthusiast and I enjoy all country sports. However, uppermost in my mind is that any country sport can only be done hand in hand with conservation and, and I have practised that over the years in pursuing country sports. We must put money into the land to take from the land. We must encourage the growth of flocks and habitats for those flocks, to enable us to shoot and ensure that the environment can handle it. That must be the case if country sports and shooting are to continue. This debate has shown clearly that that has not been the case historically in the ivory trade, which is why the present position is so precarious.

As the World Wildlife Fund outlined in its briefing paper for the debate, we are in the midst of a global poaching crisis that threatens decades of conservation success and the future of many species. The illegal wildlife trade has grown rapidly in recent years and is now estimated to be the fourth largest transnational illegal trade, worth more than £15 billion per year. There are many iconic animals across the world, but this debate is about elephants, which are probably the greatest animal in my opinion; others may disagree. We have to retain their numbers and their habitat. As the WWF says, the illegal wildlife trade drives corruption, impacts the rule of law, threatens sustainable development and has been linked to other forms of organised crime such as arms, drugs and human trafficking. The hon. Member for Richmond Park (Zac Goldsmith) made the point that people turn to other methods of securing income, and illegal trade is the upshot of that.

There are approximately 415,000 African elephants. In the last decade, their number fell by about 111,000, mainly due to poaching, and around 20,000 African elephants are estimated to be killed by poachers annually. In the time that we have been having this debate, between three and four elephants have died across the world at the hands of poachers, and before the debate is over, that number will have doubled and perhaps trebled. That is an indication of what is happening. Some 55 of these grand, beautiful animals are killed a day. It is not only an adult elephant that is being killed; poachers are leaving a baby elephant to its own devices, and it often ends up dying as well. The gestation period of an elephant is 18 months. That gives us an idea of how long it takes to try to claw back what has been lost. That is something we cannot ignore.

It is clear that steps must be taken, and taken quickly, to align us with other nations in the attempt to cease this trade. I went to Kenya with the Armed Forces Parliamentary Scheme, and we had a chance to see the big five. I remember getting up close and seeing the beauty and brilliance of the elephants and being struck by the intelligence in their eyes. It is such a pity that those who poach them do not share their level of intelligence to understand that they are not only needlessly taking life, but will no longer be able to profit from it. It is clear that, while we carry out the normal protocol of check, double-check and triple-check of new legislation, we must seek to do that as quickly as possible to bring us up to international standards.

I watched a wildlife programme on TV last night, which showed a new way to try to alert people to what poachers are doing. People are putting collars on zebras and other animals. Whenever they see the animals running—they could be running from a lion, but in many cases they are running from poachers in the area—they are able to pinpoint where they are. This is another way of trying to address the issue. We must do everything we can to deal with it.

I have been contacted by auction houses—I have one on the boundary of my constituency—regarding the limited exemptions for antique ivory. The Secretary of State addressed this in introducing this debate and responding to interventions. I have been assured that auction houses and their trading partners are not averse to the legislation, as it stands; that is what they are telling me. They can well see the need to play our part on this horrendous trade, but there is certainly a little fear that any tweaking carried out may adversely affect their ability to sell genuine antiques that are historically and culturally important.

I commend the Government for the exemptions, in the provisions, for bagpipes, violins and pianos. I think that they have made sure that the trade in antiquities is allowed to continue. Pre-1975 musical instruments are also covered by the Bill. There is a real need for balance and to ensure that there is a clear distinction between the modern ivory trade and that in historic or antique ivory. I am given to understand that a strict number of things to be done while selling antique ivory has been suggested. That is right and proper. However, it is also so important that we do not stifle the legal trade in antique ivory while trying to eradicate the modern illegal ivory trade. There are businesses that rely on this
antique trade. They must not be prevented by any changes in the Bill from selling items that are culturally and historically important.

I welcome the fact that the words “enter and search premises” will apply across all the regions of the United Kingdom of Great Britain and Northern Ireland. Indeed, there are further steps that we can take over the cyber-sale of animals and their products. I believe this Bill must be the first of many conversations about how we can conserve and preserve for future generations.

The International Fund for Animal Welfare has said:

“Over a six week period in 2017, with a focus on France, Germany, Russia and the United Kingdom, IFAW’s team of experts and researchers uncovered that thousands of live endangered and threatened animals and animal products were offered for sale online.”

I ask the Minister what we are doing to address the issue of online sales. Many of us understand that, when people can buy ivory online or show ivory for sale online, we need to do something about it and cannot ignore it.

IFAW has identified 5,381 advertisements spread across 106 online marketplaces and social media platforms. It has catalogued 11,772 endangered and threatened specimens worth over £3 million. Again, that shows the magnitude of the problem. I commend the IFAW and other organisations and charities for all that they do. The way in which they highlight this issue, raise awareness and tell us all what is happening is good for us and the story we are telling the House today:

There is work to be done and I would like to see us in the House playing our part to conserve in a common-sense way. We can do our bit here. Let us do it through this Bill.

8.48 pm

Mrs Pauline Latham (Mid Derbyshire) (Con): As my hon. Friend the Member for Richmond Park (Zac Goldsmith) said, this is good news. It is very rare to have good news that is supported by all parties in this House. I cannot say I disagree with anything that has been said by anybody on either side of the House, which is also pretty rare. I am delighted that the Bill has come before the House.

My right hon. Friend the Secretary of State has shown huge leadership by pushing the Bill forward, and I think he will bring it in as swiftly as he possibly can. He is, of course, building on the work of other Secretaries of State before him, and particularly on the leadership of the right hon. William Hague—Lord Hague—and the former Prime Minister David Cameron, who said that we should leave this world a better place. I believe that by passing the Bill, we will do that.

Africa needs elephants more than it probably realises in many cases, because it needs the tourism they bring. Many people in the House have young children, I am fortunate enough to have five grandchildren, and I want them to see the elephants. My eldest granddaughter, who will be 14 next month, has seen elephants, but if the ban does not go through and other countries, such as China and America, do not support it in a more limited form, my youngest, who is only three, may not see those iconic creatures, which we all think are fantastic for every reason we can possibly imagine.

The saddest thing about elephant poaching is that it is the oldest elephants that are poached—because they have the biggest tusks, they are a target for the poachers. They are the wise ones of the herd, and they teach and explain to younger family members exactly how to behave. Unfortunately, we are getting some rather wild elephants that are delinquent because they have not had that training, so the sooner we can breed more elephants in the wild to keep the groups together and make those groups larger, the better. As my right hon. Friend the Secretary of State said, we need to keep the beautiful savannahs as they are.

Poachers kill many rangers, and I would like more Department for International Development money to be spent on training more rangers. The hon. Member for Bassetlaw (John Mann) spoke about using alternative technologies, and that is something that DFID could explore. We could spend more time training people in African countries to understand how they can best beat the poachers, who are pretty clever and ahead of the game. We need to beat them at it.

African elephants are important, but we need to look at other species with tusks that contain ivory, including rhinos and Indian elephants. We need to think hard about how we can include those species, but I do not want to water down the Bill. I want it to be specific, because it is important, but perhaps the Secretary of State will look at how he could include other species, particularly to save the rhinos, which are on the verge of extinction.

There are many other things that we could do to help the world, including the rainforests. Tigers are endangered, as are gorillas, giraffes and many more animals. We need to save them from extinction because, as I have said, I want my grandchildren and great-grandchildren to be able to go and see those different species. It is important for all of us to give future generations that opportunity.

There are a couple more points that I want to mention, but I do not want to take too much time, because this debate is fairly short. It would be useful if DEFRA published a register showing how many exemptions have been issued under the historical, artistic and cultural definition every year, so that a picture could be built up of all the relevant artefacts, which would be verified by people who know what they are doing, such as the V&A and other museums. That register ought to be publicly available, and it would demonstrate a commitment that the exemption is for the rarest and most important items only, not just any old ivory artefact.

Several Members have mentioned the National Wildlife Crime Unit. I hope that the Secretary of State will be able to announce permanent funding for the unit, as its existing funding expires in 2020. That should be part of the UK commitment to enforcement. I also hope that the Border Force CITES team at Heathrow will have sufficient manpower and resources, as it will be the frontline of our defence against illegal imports coming into the UK and organised criminal activity.

Finally, I would like to discuss Hong Kong. Although the Chinese support the ivory ban and, I am pleased to say, were ahead of us, I am told that in Hong Kong—I have a nephew out there—ivory continues to be passed as mammoth tusks. It is perfectly legal to trade mammoth tasks, so will the Secretary of State work with Chinese leaders to try to shut down that market?
Perhaps he could include a ban on mammoth ivory to close that loophole. People can test the difference between mammoth and elephant tusks, but what border agent or police officer would know about that? They would not challenge it, so we have to be firm and make sure that we close as many loopholes as possible to save these iconic animals that we all want future generations to see. However, I continue to congratulate the Secretary of State on moving fast; I would like to see him do more and move faster.

8.55 pm

Mr Ranil Jayawardena (North East Hampshire) (Con): I am delighted to rise in support of the Bill. Although our constituents usually see the theatre of questions to the Prime Minister, it is on occasions like this, when we all work together, that the House is strongest. Today is a great example of that. We often work collegially across the House in Committees and all-party groups to achieve good, positive steps like this.

As someone who founded the all-party group on endangered species, along with many Members some of whom are here, I am pleased that the Government have taken this decisive action and that the group has been able to support the Government’s work in this area. Even when some thought it might be just a little too difficult, we held their feet to the fire. I therefore welcome the action that is proposed by my right hon. Friend and parliamentary near neighbour the Secretary of State for Environment, Food and Rural Affairs.

The all-party group is now ably led by my hon. Friend the Member for Redditch (Rachel Maclean). We work alongside like-minded Members with the stated aim of ensuring “that the plight of endangered species is on the political agenda of government”, and we will not be going anywhere.

Elephants—those strong, smart, gentle, beautiful animals—are most definitely, and sadly, in the endangered category. As has been said, according to the WWF, the number of African elephants has fallen from between 3 million and 5 million to 415,000, while the number of Asian elephants has halved over the past three generations.

It has also been said already—although it is such a shocking figure that it should be said over and over until something is done about it—that 20,000 elephants are slaughtered every year to fuel the global demand for ivory. It is absolutely horrifying but, in the midst of the horror, we have a glimmer of good news today, as this issue is now firmly on the Government’s political agenda—indeed, it is on their legislative agenda too, as the Bill proves. That the Government recognise the need to protect animals and that the Bill will help to close ivory markets and reduce both the price of ivory and the incentive to poach is good news.

I was, of course, first elected to this place in 2015, and the Conservative manifesto on which I stood promised that we would tackle the international wildlife trade and press for a total ban on ivory sales. I am pleased to be able to help deliver on that promise today.

The Bill builds on the proactive and global action that the Government have taken. We held the first international conference on the illegal wildlife trade in London in 2014 and we will soon host the fourth, having supported Vietnam and Botswana in hosting two more.

As an aside, and as my hon. Friends the Members for Richmond Park (Zac Goldsmith) and for Cheltenham (Alex Chalk) said, the UK spends 0.7% of its GNI on aid, and I believe that wildlife protection would be a worthy use of our aid budget. I therefore urge Ministers to expand that spending.

The UK has successfully lobbied for the EU-wide adoption of a ban on raw ivory, and the UK Border Force successfully targeted ivory sent through postal systems with the WWF-sponsored wildlife crime operation of the year for 2016, Operation Quiver.

We have worked constructively with China to jointly develop and implement law enforcement measures to tackle illegal trade, in stark contrast, I am genuinely sad to say, to past Governments. In 2008, the then Government gave the go-ahead for China to become a licensed trading partner for 108 tonnes of ivory. On my last visit to China, I made the point that it needed to stop the ivory trade. The change in its approach from then to now is remarkable and laudable. I hope that it will go further in the years ahead not only to enforce its law more strongly across the whole of that vast country, but to widen its scope so that other species, such as tigers, get greater protection too.

These are great first steps—they are great steps, but they are just great first steps. As always, we must do more, and for many good reasons. As my hon. Friends the Members for North Dorset (Simon Hoare) and for Richmond Park mentioned, the scope of the Bill should be wider. Clause 35 is unnecessarily narrow in referring to the meaning of ivory as only coming from “the tusk or tooth of an elephant.”

The explanatory notes cite many other species that would be eligible for regulations to be laid at a future date, but why wait? Why wait for there to be an issue that affects other animals adversely when we can act today? My right hon. Friend the Secretary of State talked about our goal in providing leadership to the world on this important issue. I say to him and to the Minister that we should deliver that leadership not just for elephants but in pursuit of our goal of protecting animals more widely from what is a wholly unnecessary activity.

Rachel Maclean (Redditch) (Con): My hon. Friend was kind enough to mention the all-party group. He set up the group, kicking off excellent work on this issue. He talks about how the Bill could go further. Does he agree with both me and the International Fund for Animal Welfare’s submission to the debate that we need detailed guidance on what items of artistic and cultural merit should be exempted from the Bill? It is very important that we get the guidance right, so that things do not slip through and contribute to poaching.

Mr Jayawardena: I thank my hon. Friend for her kind words, and I urge her to go further in her leadership of the group to deliver what she sets out. She is right that we must be very clear about what we are seeking to achieve. We do not want to create loopholes for those who would seek to perpetuate such crimes against elephants and other animals. We must not allow those loopholes to exist, and we must not create new ones that they would wish to exploit. As my hon. Friend the Member for Mid Derbyshire (Mrs Latham) set out, there is a potential loophole in the case of species that are alive and well today but perhaps lower in number than we
might like, and in the classification of ivory from mammoths. We could be creating an unnecessary loophole instead of closing it right now. Indeed, I believe we should do that. Unless we are to carbon date every piece of ivory coming through customs checks, we might find that those who commit these crimes will continue to do so.

Britain is very proudly a nation of animal lovers. Animals have a very special place in British society and in the hearts of the generous British people, with a quarter of annual charitable donations going to animal welfare causes. It should therefore come as no surprise that the Bill has wide support from beyond the predictable non-government organisations, which are to be lauded for their efforts in this area. It is so important that the public are on the side of this initiative. Out of 77,000 respondents, 88% supported a ban. The British public want this. Members have called for this. Animals deserve this. Let us get on and do it.

9.3 pm

Mrs Anne-Marie Trevelyan (Berwick-upon-Tweed) (Con): I am delighted to be able to speak on this important Bill, following on from my hon. Friend the Member for North East Hampshire (Mr Jayawardena), and to continue to highlight just how Britain is taking the lead across the world in protecting the special and diverse wildlife across our planet. From oceans to the illegal wildlife trade, the Government are showing the environmental leadership that other countries across the globe can emulate and learn from.

There are, sadly, so many species of wildlife across the earth that need our protection from all manner of viruses, diseases, human poaching and destruction of habitat. The poaching and hunting of elephants for ivory is decimating elephant numbers, maiming and killing those sentient animals in the most cruel fashion, and fuelling serious and organised crime which has led to corruption in many of the states where elephants are poached.

The forests of central Africa are the hardest place to study or protect elephants, but it seems they are the first to be hit by poachers. Over the last decade, their number has declined by almost a third. I will not repeat the many statistics already shared with the House, but as my hon. Friend the Member for North East Hampshire just said, the statistic that 20,000 elephants are being lost every year should shock every person listening to or reading this debate.

The demand for ivory in the far east has been the primary driver of the renewal of killing over the last two decades. In the last four years, the wholesale price of raw ivory in China has tripled and reached a $2,100 a kilo. It is unacceptable for nations to stand by as elephants are killed in their hordes for their ivory. I am proud that, in order to protect elephants for future generations, we are introducing one of the world’s toughest bans on ivory sales. The maximum available penalty for breaching the ban of an unlimited fine or up to five years in jail seems appropriate, but we must ensure effective enforcement. This tough action will send a message to poachers and countries across the world that Britain is not prepared to stand by while the poaching continues unabated.

While I fully support the Bill and protecting the African elephant, I agree with my hon. Friend the Member for North Dorset (Simon Hoare) about extending its provisions to Asian elephants, the rhino and the narwhal. It is important to consider that when we get into Committee. This is a one-off opportunity to highlight those particular mammals.

I want to raise an issue regarding the exemptions in the Bill. It is good news that there will be exemptions for musical instruments created before 1975 and items with less than 10% ivory content created before 1947—two years when steps were taken towards reducing the ivory trade—as well as those rare items and portrait miniatures that are at least 100 years old. Sales to and between museums will also be allowed, which, thanks to the Bill’s registration process, will help us to catalogue these historic items, which are part of the world’s artistic heritage.

The WWF has been clear that it does not believe that the exemptions will have a negative impact on the poaching of elephants or the illegal ivory trade. I also note that the exemptions in the USA, which are more relaxed than those in the Bill, have already resulted in a significant decline in the ivory trade across the pond. Given all that, as well as the Chinese ivory ban, which came into effect a few months ago, and the consequent fall in the ivory price, we can have every hope that the Bill will contribute to a reduction in the poaching of our wonderful elephant.

With this in mind, I would ask the Minister to consider one further narrow exemption that I as a Northumbrian MP believe is important for our musical heritage and which should be included in the scope of the exemptions for older musical instruments. In the north of our great country, the pipes—bagpipes and Northumbrian—have been a military and cultural part of our heritage for centuries, and pipers have a particularly long history in Northumberland. The Northumbrian pipes are a physically smaller and perhaps less terrifying musical instrument than their bigger cousin north of the Tweed.

The Northumbrian Pipers’ Society is extremely concerned, as am I, that this excellent Bill will inadvertently risk doing severe damage to our piping tradition and therefore to our regional musical heritage. The retrospective nature of the proposals on musical instruments containing ivory, which will make it unlawful to sell or hire instruments made with any ivory in them after 1975, even though they were made perfectly legally and were exclusively made using antique or CITES-licensed ivory, will, according to some estimates by key pipe makers and figures in the tradition, result in at least 500 to 600 sets ceasing to be marketable.

I must declare an interest: my daughter is a Northumbrian piper and owns a set of pipes that contains ivory. I do not know when it was made, and we do not intend to sell it, since we hope to perpetuate this musical Northumbrian tradition by passing them down to our regional generations, but this is no less of an issue for all that. We bought them from a family whose grandfather had died and none of whose children had learned to play. We have been the happy recipients of a musical instrument and a county tradition.

Most of our Northumbrian pipe makers are retiring, including the amazing David Burleigh from the village of Longframlington in my constituency, and the Northumbrian Pipers’ Society relies heavily on second-hand
sets to fill the gap and be sold on to those of the next generation, such as my daughter, to continue this ancient musical tradition. It would be a huge error to inadvertently suffocate one of our country’s finest musical traditions—it is the only instrument indigenous to England that has an unbroken history of performance—by missing a small exemption to this Bill, which I do not believe would have a negative effect on the poaching of elephants since we are talking about pipes made by recycling old or ancient ivory.

I think it fair to say that extending the exemption to cover all sets of Northumbrian pipes made before and during the Bill’s passage would not in any way encourage poaching or feed the illegal trade in ivory, given that the ivory concerned comprises very small pieces that could not realistically be reworked for sale in any other form. I should be delighted to meet the Secretary of State to discuss the matter in more detail, and to find a way of protecting the great tradition of those instruments and the heritage of Northumberland.

Apart from that one issue, which I call on the Government to consider further, I am delighted to support the Bill and to ensure that the UK leads the world in tackling the scourge of the illegal wildlife trade. I want the children of the future to watch “The Jungle Book”, which is my favourite film—[Laughter. Confessions; Madam Deputy Speaker!] I want those children to see the wonderful herd of elephants on Jungle Patrol, and to know that they are seeing a representation of a living, thriving animal community, not an extinct species.

Several hon. Members rose—

Madam Deputy Speaker (Mrs Eleanor Laing): Order. I am afraid that I must reduce the speaking time limit to five minutes.

9.10 pm

Sir David Amess (Southend West) (Con): I congratulate all the animal organisations that have encouraged the Government to introduce the Bill, and I completely agree with what my hon. Friends the Members for Richmond Park (Zac Goldsmith) and for Mid Derbyshire (Mrs Latham) said. However, there are three people I wish to single out. The first is Mr Attenborough, whose wonderful films and programmes have transformed people’s perceptions and views of animals, not just throughout our country but throughout the world. If only I had a voice like Mr Attenborough’s, Madam Deputy Speaker, wouldn’t I be worth a lot of money?

I also wish to congratulate a lady called Lorraine Platt. I do not wish to upset a number of my colleagues—I do not think that there are any farmers in the Chamber at the moment—but I have been here for quite a while, and there was a time when it seemed that if an animal walked or moved a bit quickly, one might be encouraged to shoot or snare it. Lorraine Platt has transformed my party’s perception of the way in which we treat animals, and I salute her for that.

Finally, I congratulate the Secretary of State. We heard from my right hon. Friend the Member for North Shropshire (Mr Paterson), but this is a moment for celebration—and here I come to the remarks made by the hon. Member for Workington (Sue Hayman). Looking around the Chamber, I think that I have been a Member of Parliament for longer than anyone else who is present, and I have a good memory of how we have dealt with animal welfare measures in the past. We have not always been brilliant on the issue. In fact, it was David Mellor, when he was a Minister, who amended a raft of legislation—I happened to be a member of the Committee considering the Bill in question—but the hon. Lady mentioned the Labour party. It is absolutely true that when Tony Blair took office, animal welfare organisations were very enthusiastic about the way in which the party would develop, and huge amounts of money were given to it.

I salute what I see as a major victory for foxhunting. Indeed, I can tell my colleagues that I was one of the only five Conservatives who used to vote in favour of banning it. How that has changed in 2018. Colleagues saw that when our Prime Minister made an off-the-cuff remark about a free vote on bringing back foxhunting, it went down like a lead balloon. However, let me say gently to the hon. Lady that by the time Tony Blair left office, when I had strong contacts with many animal welfare organisations, I felt that there was some disappointment, so I salute what the Secretary of State is doing. I cannot keep up with it. Each week, each month, all the things we have been asking for for such a long time are happening. The House will be united in encouraging him.

Elephants are wonderful animals. I have kept most kinds of animal, but I have never owned an elephant. We have not had room for one—although, according to my wife, I sound like a herd of elephants when I go up and down the stairs. It is impossible to imagine a world without elephants: that is unthinkable. We need only see the television programmes in which an elephant dies and all the others gather round it. They are absolutely wonderful animals, and what has been happening is barbaric.

I recently met Mr Duncan McNair, founder of Save the Asian Elephants, a remarkable association, and I gently say to the House that we must discourage our constituents from going on safaris where they ride on elephants. They should learn in detail how these elephants are restrained; it is quite wicked.

I was in Strasbourg last week. It was the first time I have ever been there, and it was wonderful. I addressed the Intergroup on the Welfare and Conservation of Animals, and it is going to follow our lead in this regard.

I do not judge a society just on how it treats human beings; I judge it also on how it treats animals. This is a great day for the House of Commons and a great day in terms of progress in animal welfare.

9.15 pm

Alex Chalk (Cheltenham) (Con): It is a great pleasure to speak in this debate. I want to underscore some of the points already made and develop a further point that I canvassed briefly with my hon. Friend the Member for Richmond Park (Zac Goldsmith).

The first reason why this Bill is so important is the context. Elephants are in decline by 8% per annum according to the 2016 great elephant census, and we have heard today some other startling statistics: 55 elephants killed per day, 20,000 per annum, and an elephant dying every 25 minutes on so. There is legislation in place, but it is inadequate: in 1990 ivory was banned under the convention on international trade in endangered species, but that of course covered only post-1990 ivory. The message
is therefore unclear and inconsistent, and this excellent Bill will help to bring clarity and consistency. As others have indicated, it also closes off that loophole that exists and the scope to launder illegal ivory as legal ivory.

In due course, after the Committee stage and when this Bill is enacted, the message will go out that the UK ivory market is closed to all items containing ivory, apart from a few very narrow exceptions. That is fantastic, and it also means that the UK will take on a role of global leadership and will be very well placed come the October meeting on the illegal wildlife trade.

There is also a point that I want to develop which will add to this debate. My hon. Friend the Member for Richmond Park made the point powerfully that the British people want to ensure that when we play our important role in the world in this area we can bring real ammunition to the fight. However, we should look at the budget we allocate to this important priority for the British people. When we look at the language used in how we go about deploying that financial firepower, we see that it is very narrowly focused. I am referring to the fact that every year the UK spends 0.7% of our gross national income on international development. We have the Department for International Development, but it is very narrowly focused, because its sole goal, as indicated by the House of Commons International Development Committee report, is ending poverty. That is because in 1970 the UN target was set and at that point the UN General Assembly said the money must be spent on overseas development assistance. So the money must be spent on development assistance, and the Act which enacted the 0.7% requirement was called the International Development (Official Development Assistance Target) Act 2015 and the Department is called the Department for International Development.

What I would like to see—and what I sense that my constituents in Cheltenham would like to see—is for that Department to become the Department for International Development and Conservation, because at the moment the sole focus on poverty is a difficult pill to swallow. I have poverty in my constituency—there are areas of entrenched poverty—and it is therefore a difficult sell to say that £14 billion must be dedicated exclusively to that fight.

To put this in context, our entire prisons budget is about £4 billion, yet we will be spending £14 billion on tackling poverty. This wonderful Bill, which has enjoyed cross-party support, presents a great opportunity; it can be the springboard for us to do something bolder and more radical. There should be greater fluidity in terms of how we spend this money. Before anyone says that we cannot do that because the OECD says that it must be limited to international development, let me remind the House—lest we forget—that because the United Kingdom is an international aid superpower, we were able to leverage that power to achieve some flexibility in February 2016. We are now allowed to use the money in that budget to pay for peace and security-related costs, so why can we not go one step further? Why can we not use the excellent opportunity presented by the Ivory Bill to go further and to direct that money towards conservation? Let the moment start here. The Department for International Development should in due course become the Department for International Development and Conservation.
It has been brought to my attention that that measure could have unintended consequences, because the Bill in its current form would inhibit the sale of small antique items consisting entirely of ivory made before 1947. We need to look at these definitions and their consequences, and we need to be determined about what we want this legislation to do.

I am pleased that clause 8 mentions pre-1975 musical instruments, because I am a piper, owning a priceless set of bagpipes with ivory mounts that my father got—long before 1975, I hasten to add. Those mounts do make me sad, but it is a precious instrument and it makes a glorious sound, symbolising so much for my countrymen. I hope that the House will remain united as the Bill moves through Parliament and that we stamp out the ivory trade, because we must.

9.25 pm

**Eddie Hughes** (Walsall North) (Con): I beg some indulgence. Mr Deputy Speaker, because the start of my speech may seem slightly unrelated to the topic we are discussing. As a football fan, I am a frequent visitor to countries around the world. I do not know much about football, but I love to see it being played internationally, so in 2010 I found myself in South Africa for that great tournament. Who could forget some of those incredible games? We saw Portugal take on the mighty North Korea and defeat them 7-0, and the final saw Spain win their first World cup, defeating the Dutch 1-0 in extra time with Iniesta scoring the goal. However, what was most memorable about my trip to South Africa was the incredible countryside.

I took the 200 km “Garden Route” trip from Cape Town along the coast, through the wine regions, and on to the Tsitsikamma national park and over the suspension bridge that crosses the Storms river—breath-taking scenery and amazing countryside—and I then headed north to Kruger. I was travelling with some friends, and I like to go to bed early, so I left them at the bar, drinking heavily. About an hour later, my good friend Tony awoke me with a tap and said, “You need to get up and see this.” We opened the door of our chalet and immediately outside was a huge elephant within touching distance, eating from the trees. It was incredible to see a magnificent animal like that in a semi-natural habitat, although I appreciate that eating next to a chalet is not completely natural for an elephant. I have two children, one of whom is currently touring the world. She has spent five months in Australia, and I hope that she will one day have the opportunity to see such magnificent elephants in their natural habitat. The work we are doing this evening could lead to that being a more likely possibility—indeed, a probability—in the future.

It is important to remember that we are a long way from South Africa, but the work of the British Government takes us to these places around the world. If I remember correctly, Cyril Ramaphosa became the South African President in February this year, and he met the Prime Minister in April to talk about the work that the British Government can do with South Africa in the future. I understand that we have committed approximately £50 million over the next four years to work with the South African Government to create employment and help the country to overcome barriers that will allow other countries, including the UK—this will be particularly important post-Brexit—to work and trade with South Africa and other African nations. If they lose out on the income from trading in ivory, it is important that that is replaced somehow.

There is an interesting supply-and-demand argument around the money in the ivory trade. In 2016, approximately 100 tonnes of ivory was publicly destroyed to say to the smugglers, “We are destroying this stuff; it has no place being traded.” However, it is understandable that poor countries such as Zimbabwe, which tried to sell 70 tonnes for approximately $35 million, feel that they need the income. I believe it is incumbent on us to help support Zimbabwe industrially in order to make sure it can replace that trade.

I conclude with the words of Charlie Mayhew, the chief executive officer and founder of Tusk:

“We believe that an unambiguous message should be communicated to the world that elephants are globally protected and that buying ivory is no longer socially acceptable.”

9.30 pm

**Robert Courts** (Witney) (Con): It is an enormous pleasure to speak in this debate, and it is also a great pleasure to follow my hon. Friend the Member for Walsall North (Eddie Hughes), who has this evening demonstrated the real mix of wit and insight that the House has come to expect from him.

It is a real honour to speak in this debate, which shows the House at its best as we come together to make law at a time when we can feel the era changing. Not so long ago a person who wished to indicate that they were civilised and that they had travelled the world would do so by bringing something back, and that something would be a part of an animal they had killed to demonstrate that they had been to those places and seen those exotic animals.

Times change, and social attitudes clearly change. It is now no longer acceptable for fashion to be facilitated by cruelty, and that is the law we are discussing tonight. We realise, as we have heard a number of times this evening, that the scale of elephant killing is gigantic. We have lost five or six elephants since the start of this debate. The statistic is that we lose 20,000 elephants a year or 100 tonnes of ivory was publicly destroyed to say to the smugglers, “We are destroying this stuff; it has no place being traded.” However, it is understandable that poor countries such as Zimbabwe industrially in order to make sure it can replace that trade.

It is important that we have a functioning ecosystem. It is not just elephants, because all the other animals that live on the African plains depend on elephants keeping the ecosystem healthy. Of course it is far more important than that. It is important for the animals, it is important for our environment and it is also important for the people, because we now accept in this House and across the country that we should be protecting, not plundering, developing countries. If developing countries have a resource such as eco-tourism, we realise that we should be helping them—not exploiting them but protecting and helping them to profit from eco-tourism.
I agree entirely with every hon. Member who has said today that they are standing up on behalf of not just current generations but their children. I have a two-year-old toddler, and I would like him to be able to go to Africa or to other countries around the world to see elephants in their natural environment. It is crucial that we do this.

The human impact is so important because it goes further than simply helping people. As with the illegal drug trade, the organised crime ramifications of wildlife crime are enormous. We have heard from a number of Members on both sides of the House that 100 rangers are killed by poachers each year as they try to protect elephants. We simply have to ensure that we stop the demand, and we can do that with the Bill.

I have sympathy for those who require exemptions for various reasons—for example, for cultural reasons—and I am grateful to the Government for thinking about those reasons and for introducing defined, narrow, clearly interpreted and well thought through exceptions, which I also support.

At present, unfortunately, the current regime simply is not working. I ask the Government to consider some of the definitions in clause 35, which other Members have raised. My constituency contains Cotswold Wildlife Park and Gardens, and I may be unique in being a Member of Parliament who has bottle-fed a baby rhino, which I was greatly honoured to do at that park. I am of course aware that rhinos could be affected and so it is strange that the explanatory notes state that the “delegated power could be applied if the restrictions under this Bill inadvertently lead to the displacement of the ivory trade from elephant ivory to another form of ivory.”

That is likely to happen and we ought to deal with it now.

In the last few seconds available, let me say that I am grateful to those from all over West Oxfordshire who have written to me to express their support for the Bill. They are on the right side of history and so are the Government.

9.35 pm

Huw Merriman (Bexhill and Battle) (Con): It is a pleasure to be the last Back Bencher to speak. I shall be looking to the hon. Member for Bassetlaw (John Mann), whose yawning ratio has increased, to see when I should sit back in my place.

I absolutely support this Bill, for all the reasons as everybody else. Therefore, I will not rehearse those arguments and will instead focus on two matters, the first being the definition of ivory. I note the points that have been made about how that can be extended. The explanatory notes say that under clause 35 the definition can indeed be extended to cover beyond elephants. However, that would happen only if the Government took the view that there had been a shift towards trade in other ivory—they would then perhaps then extend this. It would be a bit more up front to put that extension in place immediately and I cannot understand why this is limited just to the elephant tusk.

The second point I want to make is about the exemptions. In the event that we are to have exemptions, and we see the Bill contains some limited ones, surely it makes sense for the Bill Committee to get those absolutely right.

Notwithstanding the point made by my hon. Friend the Member for Witney (Robert Courts), my concern is that I do not find those exemptions particularly tight. There is a series of exemptions. For example, clause 2 refers to pre-1918 rare items and those with artistic, cultural or historical significance. We all have a view on what such things could be and it will be incredibly difficult to differentiate objectively. The Bill also mentions other time limits; there are references to 1975.

I find the exemptions somewhat random, so my idea to throw into the pot is that we have just one pre-defined list—a “now or never” registration, using pre-1947 as the date. People would not be able to add to the list and anything that has not been registered would just get destroyed. That should include museums. Thereafter, we would have the pre-defined set of items in place, we would have certainty and this could not be gamed. We would therefore just have one criterion. That registration process would be paid for, and any excess amounts banked by the Government should be spent on prohibition work in the field in the countries where this exists. If anything in the list is transferred, there should be a 20% tax, which would also go to those causes.

There are my ideas to throw into the pot. A lot more could be done in Committee to get these exemptions narrowed and standardised, and to give better legal certainty that this will work.

9.38 pm

Holly Lynch (Halifax) (Lab): We have had an excellent debate this evening, and I thank Members from across the House for their contributions. To reiterate what my hon. Friend the shadow Secretary of State said in her opening speech, the Labour party welcomes this Bill and we will be supporting it this evening. Of course we will, however, be seeking to play a role in testing and tightening it in Committee, particularly on its exemptions.

We have heard some well researched and articulated speeches and interventions, and I shall mention just a few. My hon. Friend the Member for Blaydon (Liz Twist) and the hon. Member for Strangford (Jim Shannon), among others, made an important point about online sales. There must not be an online market for such items, and I would be keen to explore every opportunity to close loopholes for the sale and trade of ivory as this Bill progresses. My hon. Friend the Member for Wakefield (Mary Creagh), the Chair of the Environmental Audit Committee, and others made an important point about the funding of the National Wildlife Crime Unit. It is an important part of resourcing the enforcement efforts required to really enact this legislation in the way that we envisage, and I look to the Government to reassure us further on that point and commit to funding the unit beyond 2020.

The right hon. Member for North Shropshire (Mr Paterson) made a passionate speech based on his experience in this policy area and rightly paid tribute to the bold action taken by the Chinese Government. He also reflected on the difficult and insatiable relationship between supply and demand that will persist unless we step in and sever it.

The hon. Member for Walsall North (Eddie Hughes) made a characteristically interesting speech that I thoroughly enjoyed. He made a serious point about the economic impact on certain countries of banning the ivory trade and what we might need to consider by way of support as we move through the transition.
It is worth reflecting on the public’s role in the progress that has led to the Bill before us and thanking them for their contributions. I am mindful that the last time the House debated this issue was in a Westminster Hall debate on an e-petition calling on the Government to shut down the domestic ivory trade, which secured more than 100,000 signatures. Further to that, as the Secretary of State mentioned, after the Government opened their consultation on the proposals at the end of last year, a staggering 70,000 people and organisations responded. More than 80% of responses were in favour of measures to ban ivory sales in the UK; that has no doubt assisted in the shaping of the Bill.

I think, based on the contributions we have heard, that we all share a great sadness that the illegal wildlife trade has grown rapidly in recent years. It is absolutely right that we take robust domestic action to tackle it head on, while demonstrating leadership on this issue to the rest of the world. Despite the convention on international trade in endangered species of wild fauna and flora, to which 183 states are party, and the introduction of an international ivory ban in 1989, we have still witnessed a worrying upward trend in illegal killings since the mid-2000s. As we have heard, recent estimates of African savanna elephant populations indicated a 30% decline in numbers between 2007 and 2014. That is 144,000 fewer elephants.

The examples of decisive action taken by the US and China have already had a positive impact, so we welcome this domestic action, which we hope will help to turn around the situation. One issue that we wish to explore further in Committee is the possibility of displacement and unintended consequences, for which we will have to be ready. There have been suggestions that the Chinese Government’s interventions on ivory may have brought about an increase in trade in neighbouring states in which controls are more relaxed. I was interested to hear the point made by the hon. Member for Mid Derbyshire (Mrs Latham) about mammoth tusks, which proves that workarounds will be found by unscrupulous poachers if there is scope for them to find them.

My hon. Friend the Member for Bristol East (Kerry McCarthy), the hon. Members for North Dorset (Simon Hoare), for Bexhill and Battle (Huw Merriman) and for Mid Derbyshire, the right hon. Member for North Shropshire and several others made the point that clause 35 sets out the meaning of ivory as being “ivory from the tusk or tooth of an elephant.”

Both the Bill and the explanatory notes reflect on the possibility of a clampdown on elephant ivory resulting in an increased threat to other animals—such as hippopotamuses or a variety of marine animals—but neither offers a comprehensive framework for responding to that threat. Sadly, we can envisage that unintended consequence becoming a reality if we are not prepared for it.

Labour has long been the party of animal welfare, from banning foxhunting and fur farms in the UK to the introduction of the landmark Animal Welfare Act 2006, and I am grateful to the hon. Member for Southend West (Sir David Amess) for acknowledging that. In an insightful speech, the Chair of the Environment, Food and Rural Affairs Committee, the hon. Member for Tiverton and Honiton (Neil Parish), said that nobody could get legislation through quickly like the Secretary of State. That having been said, we welcome the opportunity to congratulate the Secretary of State and his team on finally bringing some legislation to the Chamber. For all his bold announcements, we are reassured that he is finally translating the words and consultations into action and law change, as this is the first piece of primary legislation that we have seen from him since his appointment to the role.

Earlier, the hon. Member for North Thanet (Sir Roger Gale) made the point that if the Government can implement a comprehensive ban on ivory, they could also look into a comprehensive ban on fur, as debated in Westminster Hall today. Further to the point made by my hon. Friend the Member for Bristol East, they could also look into banning the use of animals in circuses. We look forward to seeing legislation on both those issues in the not-too-distant future. Again, we welcome the legislation before us and look forward to revisiting the detail in Committee.

9.44 pm

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (David Rutley): I wish to thank Members from all parties for their contributions to this really important debate. I am encouraged by the strong consensus in the Chamber that the Bill is essential in the fight against the poaching of elephants for their ivory. I am grateful to Members on both sides of the House for their clear cross-party support. There were some excellent speeches from the hon. Members for Workington (Sue Hayman), for Halifax (Holly Lynch) and for East Kilbride, Strathaven and Lesmahagow (Dr Cameron), who showed such important cross-party consensus on the fact that action must be taken.

Restrictions on commercial activities in ivory and other products from endangered species were first introduced when the United Kingdom became party to the convention on international trade in endangered species of wild fauna and flora, CITES, in 1975. The EU wildlife trade regulations introduced in 1997 implement CITES in a stricter manner than is required by the convention. The Bill now builds on those existing regulations to underline the fact the United Kingdom does not accept that ivory should be seen ever as a desirable commodity or, even worse, as a status symbol.

The Government have introduced this Bill quickly—only six weeks after we published our consultation response. We recognise the need to act quickly, which has been highlighted by many Members throughout the House—I am very grateful for that. I am hopeful that Members from across the House will work together to ensure the swift passage of the Bill through Parliament in the weeks ahead.

Before I respond to individual points raised by Members, I should like to pay tribute to the Under-Secretary of State for Environment, Food and Rural Affairs, my hon. Friend the Member for Suffolk Coastal (Dr Coffey). Indeed, this Bill bears the hallmarks of her committed campaigning and energy, which make her such a popular figure in the House. Mr Deputy Speaker, I am sure that you will join me in wishing her a speedy recovery. I will do everything that I can, to the best of my endeavours, to provide cover for her from the substitutes’ bench until she returns safe and well to join us in this place.

We should also recognise, as many Members have, the incredible efforts of the 70,000 individuals and organisations that took the time to respond to the
consultation that was launched last October. It is particularly encouraging that some 58% of respondents supported the ban on the sale of ivory. I thank the environmental bodies represented in those responses, and those from the antiques trade, the music sector and others, for their constructive engagement and support. I have been particularly heartened to see the endorsement of our approach from conservation organisations such as the WWF, the Tusk Trust, the Zoological Society of London, the Born Free Foundation and Stop Ivory, among others. It is most welcome and sincerely appreciated.

That engagement and the level of support for our proposals has convinced us that it is right that the Bill sets out a strong ban to protect elephants in the wild from poaching, with only a very limited number of exemptions for ivory items that would not contribute either directly or indirectly to poaching. We believe that approach is both proportionate and, of course, robust, as it should be.

When I saw elephants in the wild during a very memorable visit to Tanzania in 1988, the African elephant population was estimated to be 600,000.

Sir David Amess: I have been listening very carefully to what my hon. Friend is saying. When it comes to the Committee stage of the Bill, will he look very carefully at what colleagues on both sides of the House have said and extend the ban to include, for instance, rhino horns?

David Rutley: We have already taken very strong action to combat the illegal trade in rhino horn. Other Members have also talked about the need to extend that to other ivory-bearing species—I will come on to that later if I can. Under clause 35, the Secretary of State does have powers to extend that ban if there is sufficient displacement. That is a delegated power and we will obviously take it very seriously. We can debate that more in Committee.

As I was saying, figures for the elephant population have moved from 600,000 when I visited Tanzania to just 415,000. That is a depressing decline of more than 30%. As many Members have said, we need to ensure that future generations will be able to see these splendid and iconic creatures in their natural habitats and not in captivity. We want future generations to be able to benefit from that.

We are taking positive steps that will lead the way in the global fight against elephants heading towards extinction. The Bill achieves that by banning commercial activities in ivory, which we define as buying, selling or hiring ivory; offering to buy, sell or hire ivory; and keeping ivory for sale. In so doing, we will put a responsibility on both the buyer and the seller, and capture the actions taken by the middlemen who facilitate or support the trade—for example, those advertising ivory illegally. Many hon. Members have mentioned their concerns about online trade, which the Bill seeks to tackle absolutely. However, it should be noted that the ban will not prohibit owning, inheriting, donating or bequeathing ivory that is currently permitted. That will extend to Northumbrian pipes, which my hon. Friend the Member for Berwick-upon-Tweed (Mrs Trevelyan) will be pleased to hear.

The Bill sets out five limited and targeted exemptions to the ban, including a de minimis exemption for items with low ivory content; musical instruments; portrait miniatures; sales to and between accredited museums; and items assessed as being the rarest and most important examples of their type. Those strictly defined exemptions were informed by the consultation and by fully examining global best practice. They have been carefully designed to cover items that, when sold, do not directly or indirectly fuel the poaching of elephants. A certification process is applied to the exemption for the rarest and most important items, while a self-registration process applies to the other four categories.

Finally, the Bill provides for the offences, sanctions and powers necessary for the enforcement of the ban. A mixed regime of criminal and civil sanctions has been applied, recognising that offences are likely to range in severity. Enforcement agencies are empowered by the Bill to ensure that those acting in breach of the ban will face the appropriate punishment. We remain committed to setting a high bar internationally on sanctions for illegal wildlife trade activities. As such, the maximum criminal sanction of five years’ imprisonment or an unlimited fine will be applied. That is in line with existing sanctions under the Control of Trade in Endangered Species (Enforcement) Regulations 1997. Those penalties rightly reflect the serious nature of the ban. The powers to enforce the ban will be conferred upon the regulatory body, the police and customs officials. Those powers are derived from the Police and Criminal Evidence Act 1984.

Let me move on to some of the issues that hon. Members have raised in this consensual and important debate. It is great to have the support that we have seen from across the House, including from my hon. Friend the Member for Mid Derbyshire (Mrs Latham) and the Chair of the Environment, Food and Rural Affairs Committee, my hon. Friend the Member for Tiverton and Honiton (Neil Parish). We heard from Northern Ireland with the contribution of the hon. Member for Strangford (Jim Shannon), and from my hon. Friend the Member for Southend West (Sir David Amess), for Newbury (Richard Benyon) and for Walsall North (Eddie Hughes), with characteristic flair and commitment.

My right hon. Friend the Member for North Shropshire (Mr Paterson) raised a number of important points. I praise his commitment to this vital work and the contribution he made when he was Secretary of State. He raised concerns about the rarest and most important items. I reassure him that clause 3 is very much a reminder to enforce the ban will be conferred upon the regulatory body, the police and customs officials. Those powers are derived from the Police and Criminal Evidence Act 1984.

Members were concerned about online sales. The Bill captures and fully addresses that issue. As I said before, it will be an offence to facilitate a sale. Some Members mentioned how important it is to look at other ivory-bearing species. They included my hon. Friend the Member for Richmond Park (Zac Goldsmith), who has made huge contributions on this subject, and my hon. Friend the Member for North East Hampshire (Mr Jayawardena), for North Dorset (Simon Hoare) and for Bexhill and Battle (Huw Merriman)—my hon. Friend came up at
the rear of the debate, but made an important contribution. Clause 35 will provide that opportunity. I would also like to reassure some colleagues, who have wondered whether the Bill covers Asian elephants, that it categorically covers both African and Asian elephants.

The hon. Member for Bassetlaw (John Mann) raised what he called the Elgin question. I can tell my hon. Friend—he knows why I call him that—that it should be called the Bassetlaw question, without a doubt. I will make sure that I get back to him in writing to address the question of whether ivory should be returned to a museum in a country of origin.

The hon. Member for Workington asked about funding for enforcement. The Office of Product Safety and Standards has now been confirmed as the regulator. It will have a vital role in working with the police and customs officials to tackle this very significant crime. We can talk more about that role in Committee, as I hope she agrees. The work carried out by the National Wildlife Crime Unit is also absolutely critical. She asked about funding for that work. I assure her that we are looking at that vital issue ahead of the IWT conference, and I am sure that the Secretary of State will be working on it with the Home Secretary.

Mr Jayawardena: I shall declare an interest in relation to a visit I made to Sri Lanka. In Sri Lanka, much conservation work is done with Asian elephants. Currently, however, Sri Lanka is not eligible for aid funding. In line with what my hon. Friend—the Members for Cheltenham (Alex Chalk) and for Richmond Park (Zac Goldsmith), among others, have said, will the Minister agree to look at how more aid funding could be allocated to supporting conservation efforts?

David Rutley: That is an important point. I am sure that the Secretary of State has been looking at it over recent months, and I will be happy to raise it as well and to meet my hon. Friend to discuss it more fully.

Mr Paterson: The Minister touched on the conference in October. As there is tremendous, overwhelming and, I think, unanimous support for the Bill, how quickly does he think he and his colleagues can get it through the Commons, through the other place, and on to the statute book?

David Rutley: That is a vital question. I have looked at my boss, the Secretary of State, and his look said it all: it will be at pace. I am sure that there will be the same commitment when we work with Members from across the House. This activity needs to be stopped, and it needs to be stopped very speedily. We will be playing our part in Parliament to make sure that that happens.

The hon. Member for Workington asked what actions are being taken to lobby other countries. Clearly, the IWT conference will be a chance to take that work forward. The Secretary of State and the Foreign Secretary are working very hard to make sure that this work is taken forward with other states around the world.

My hon. Friend the Member for Southend West confirmed his passion for protecting elephants, but it is also important to note that he confirmed that he is a national treasure himself—one that should definitely be preserved.

It has been a real honour to have been able to participate in this debate and to help to take forward this vital legislation on behalf of the Government, but also on behalf of my hon. Friend the Member for Suffolk Coastal. We do wish her a very speedy return to this House.

We want these proposals to be passed through the House speedily, but also to be implemented speedily to tackle the heinous crime of poaching. I am grateful to Members on both sides of the House for the support that they have shown for this Bill. I urge them to continue to demonstrate their support as the Bill makes progress through Parliament—fortunately very speedily progress, because that is what it definitely deserves. I know that through the media others will be watching what we are doing in this House. With the illegal wildlife trade conference in October, global leaders will be arriving in London. They will be able to look at what we are doing, and we will be able to demonstrate to others that we mean what we say on ending the trade in ivory. We hope that other nations will follow our lead by helping to close down their own domestic markets, and that this Bill will inspire them to do so. I commend the Bill to the House.

Question put and agreed to.

Bill accordingly read a Second time.

IVORY BILL (PROGRAMME)

Motion made, and Question put forthwith (Standing Order No. 83A(7)).

That the following provisions shall apply to the Ivory Bill:

Committal

(1) The Bill shall be committed to a Public Bill Committee.

Proceedings in Public Bill Committee

(2) Proceedings in the Public Bill Committee shall (so far as not previously concluded) be brought to a conclusion on Thursday 21 June 2018.

(3) The Public Bill Committee shall have leave to sit twice on the first day on which it meets.

Consideration and up to and including Third Reading

(4) Proceedings on Consideration and any proceedings in legislative grand committee shall (so far as not previously concluded) be brought to a conclusion one hour before the moment of interruption on the day on which those proceedings are commenced.

(5) Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on that day.

(6) Standing Order No. 83B (Programming committees) shall not apply to proceedings on Consideration and up to and including Third Reading.

Other proceedings

(7) Any other proceedings on the Bill may be programmed.—(Rebecca Harris.)

Question agreed to.

IVORY BILL (MONEY)

Queen’s recommendation signified.

Motion made, and Question put forthwith (Standing Order No. 52(1)(a)).

That, for the purposes of any Act resulting from the Ivory Bill, it is expedient to authorise the payment out of money provided by Parliament of any expenditure incurred by the Secretary of State under or by virtue of the Act.—(Rebecca Harris.)

Question agreed to.
Mr Deputy Speaker (Sir Lindsay Hoyle): With the leave of the House, we will take motions 4 to 8 together.

Ordered,

ENVIRONMENTAL AUDIT
That Glyn Davies be discharged from the Environmental Audit Committee and James Gray be added.

INTERNATIONAL DEVELOPMENT
That James Duddridge be discharged from the International Development Committee and Mark Menzies be added.

PUBLIC ADMINISTRATION AND CONSTITUTIONAL AFFAIRS
That Sarah Champion be discharged from the Public Administration and Constitutional Affairs Committee and Tulip Siddiq be added.

WOMEN AND EQUALITIES
That Tulip Siddiq and Rosie Duffield be discharged from the Women and Equalities Committee and Teresa Pearce and Sarah Champion be added.

WORK AND PENSIONS
That Andrew Bowie and Emma Dent Coad be discharged from the Work and Pensions Committee and Rosie Duffield and Justin Tomlinson be added.—(Bill Wiggin, on behalf of the Selection Committee.)

Luke Graham (Ochil and South Perthshire) (Con): Thank you, Mr Deputy Speaker, for granting this Adjournment debate on geothermal energy in Clackmannanshire. I am grateful for the opportunity to talk about this potentially exciting, new, greener renewable technology in the energy sector and its ramifications for Clackmannanshire, Scotland and the whole of the United Kingdom.

Known as the wee county, Clackmannanshire is the smallest council area in Scotland, situated in the south-western corner of my constituency. It is tucked away beneath the Ochil hills, flanked by Stirling to the west, Kinross-shire to the east and the River Forth to the south. Despite being home to successful companies such as Diageo, United Glass, the William Brothers Brewing Company and innumerable small and medium-sized enterprises, Clacks is a former industrial and mining community and still has some of the most deprived areas in our country. Meanwhile, geothermal energy is a form of renewable energy in its relative infancy in the United Kingdom, with opportunities still being identified and explored, and it is struggling to enter the mainstream of energy provision in the United Kingdom.

While I am sure no one would suggest that Adjournment debates usually only cater to a limited audience, addressing the niche interests of Members, with limited implications for the wider country, on the surface this debate on a relatively minor energy source in one of the smallest council areas in the country may ungenerously be described as such. However, given the limited exploitation of geothermal energy in the United Kingdom and the potential for its use in Clackmannanshire, the implications of investment and development of geothermal for the wider industry sector and the country are enormous.

Jim Shannon (Strangford) (DUP): I am grateful to the hon. Gentleman for giving way. I am here to support him and congratulate him on securing the debate. Does he agree that the impact of such projects on the local economy, and especially the long-term benefits, has to be a significant consideration for Government? Everybody in the United Kingdom could benefit from projects just like this.

Luke Graham: I thank the hon. Gentleman for his intervention, and I could not agree more. One reason why I applied for this debate is to espouse the long-term benefits of these projects and how that will align with the country’s industrial strategy.

Before I get too far ahead of myself, I want to look at the broader industry and the place of geothermal within the industry. According to the House of Commons Library, the total energy sector in the UK was worth £24 billion in 2016. In the same year, the industry as a whole invested £11 billion—the equivalent of £1 in every £16 invested in the UK. It is an industry that directly employs 148,000 workers and supports a further 582,000 through the supply chain, consulting and other energy-related activities. That is a total of 730,000 jobs supported in the UK by the energy sector. Meanwhile,
around 22,000 people in Scotland are employed in the energy sector, with the oil and gas sector being a major part of that. The energy sector therefore represents an important industry not just in terms of its contribution to the total GDP of the United Kingdom, but in terms of jobs, investment, research and development and supporting industries.

Energy is important. It heats our homes, cooks our meals and runs the appliances, amenities and communications devices without which our tablets, laptops and businesses could not function. In short, it impacts on every aspect of 21st-century life. The 19th and 20th-century sources of energy have long since ceased to be seen as the future. Renewable energy sources are an ever increasing part of the suite of energy sources, and Scotland has been at the forefront of such innovations, with wind and sea power particularly prevalent in its contribution. I wholeheartedly support those steps and hope that the UK will continue to be at the forefront of such renewable energy options—not just wind and sea but others too, such as geothermal.

You may ask, Mr Deputy Speaker, why geothermal energy? In simple terms, geothermal energy is valuable because it is generated and stored in the earth. It is heat extracted directly from the earth. It is generally available via shallow geothermal ground source heat pumps, which use the heat stored in the earth to generate electricity or provide heating. Geothermal is considered a renewable form of energy due to the vast amount of heat inside the earth and the continuous production of additional heat derived effectively from the earth's core.

It is important to understand that geothermal energy is not the same as fracking, as some have tried to claim. For clarity, geothermal technology uses things such as mine water, closed boreholes and surface water, none of which has any similarity to fracking. Fracking is a process used to break up rock at great depths to release gas from ancient plant deposits. In the UK, this typically happens 2.5 km below the surface using a process involving large diameter boreholes and huge hydraulic pressures, and those are part of the concerns currently being debated. By contrast, with geothermal, the typical closed loop borehole, such as the one that would be used in Clackmannanshire, is no more than 200 metres deep, with a small diameter, and is installed in the same way and to the same standards as a water well.

We should consider the environmental impact, or relative lack thereof, of geothermal energy. It does not require combustion, unlike traditional energy plants, so it emits very low levels of greenhouse gases. It also eliminates the mining and transportation processes involved in fossil fuel energy generation. Finally, it takes up very little surface land, putting it among the smallest footprint per kilowatt of any power generation technology, including coal, nuclear and other renewables.

**Douglas Ross** (Moray) (Con): I congratulate my hon. Friend on securing this very important and interesting debate. He is speaking specifically about the size of these developments, but, as he mentioned wind energy earlier, does he accept that there is concern in my Moray constituency, as well as in many parts of Scotland and, indeed, of the UK, that large-scale windfarms are scarring our communities? Indeed, Moray has reached the saturation point for the number of wind turbines and windfarms we can have, and we should really be looking at smaller methods of renewable energy.

**Luke Graham**: I would not dare to claim to know more than my hon. Friend about his constituency, but I would say that a key part of the industrial strategy is to have more regional facilities and smaller-scale projects, and I am hoping to advocate doing so tonight.

As I was saying, for comparison, the carbon footprint estimate for an oil boiler is 310 to 550g CO₂eq/kWh—or—for those who do not know—grams of carbon dioxide equivalent per kilowatt-hour of electricity generated. For gas boilers, the figure is 210 to 380, for biomass boilers it is somewhere between 5 and 200, although typically they are below 100, while the carbon footprint range for a solar thermal system is 10 to 35 grams of carbon dioxide equivalent per kilowatt-hour of electricity generated. By comparison, the figure for geothermal is only 10. As a result, geothermal energy systems are becoming an increasingly popular low-carbon energy system of choice.

Yet geothermal energy is barely utilised in the United Kingdom. In a Westminster Hall debate on clean growth energy back in March, there was a great deal of enthusiastic support among the small number of Members present. Those who spoke in support of geothermal energy in that debate came from areas where it already exists, or at least where it is being planned. I do not consider it a coincidence that where geothermal energy has already been explored and exploited, there was support and enthusiasm for it. It evidently works, and indeed, we should take note of the enthusiasm expressed in that debate. It is a clean energy source, with the potential to bring jobs and investment to our constituencies, and given the UK’s long history of mining, I refuse to believe that only Clackmannanshire has the potential for geothermal energy to be developed. There was of course one person in that Westminster Hall debate who enthusiastically supported the development of geothermal energy in the United Kingdom—the Minister responding this evening.

The UK has a target that, by 2020, 15% of its energy will be met by renewables. In 2008, renewables constituted just 2.25% of energy sources in the UK. By 2014, this figure had risen to 7.1%, and 8.3% by 2015. I could not find any more recent figures, so I would be grateful to the Minister if she told us how the UK is performing in 2018, and how it expects to meet its target in 2020.

Although geothermal is still relatively new to the UK, this type of energy is not a particularly new technology. For example, geothermal heating is used in over 70 countries already, while 24 already use geothermal electrical production systems. Furthermore, five countries—Iceland, El Salvador, Costa Rica, Kenya and the Philippines—generate more than 15% of their electricity from geothermal sources. However, across the whole United Kingdom, I could find only nine geothermal energy projects that are in operation or are being planned. Four are in Cornwall, two are in north-east England, and one—the original—is in Southampton. There are two small mine-water geothermal schemes in operation in Scotland: Shettleston in Glasgow and Lumphinnans in Fife, as well as a forthcoming project in Kilmarnock. To put that in context, the fifth largest economy in the world is being outdone by the 106th, 101st, 76th, 68th, and 39th largest economies respectively in geothermal development and energy production.
We still have a way to go. Evidently, we can and should be doing more to invest and develop that clean energy source. In 2013, only 900 jobs in the UK were supported by geothermal energy—500 were directly supported, and 400 indirectly. Given the potential for the expansion of that technology in the UK, there is a great deal of potential for the jobs market, both directly and indirectly. High-quality, skilled jobs would be supported by the development of the sector.

Here is the crux of the debate—why Clackmannanshire? Development of geothermal in the UK, as I have said, has been relatively limited so far, largely due to the availability of cheap North sea oil and gas. Geothermal energy is plentiful beneath the United Kingdom but, admittedly, it is not readily accessible, except in specific locations. One such location is Clackmannanshire. Abandoned coal mines in Clackmannanshire could become a source of energy, as the water that has poured into the mines since they closed has been warmed up by the rock surrounding it. It is hot enough to be used for a low-temperature heating system through a heat exchanger, with more potential for it to be used for energy production.

**Stephen Kerr (Stirling) (Con):** My hon. Friend is speaking extremely well about this subject, and I bow to his knowledge in this area. On the notion of creating electricity from heat, would that extend to, for example, sewage? Would it be possible to create district heating systems in that way? Is it the same technology? Perhaps he can enlighten me.

**Luke Graham:** On district heating systems, yes. On sewage systems, I am not sure. That is something that we should explore, but when we look at the broader uses of the technology, certainly in energy and electricity production, as we have seen in other countries around the world, absolutely that can be done. There are exciting, direct uses of geothermal energy in countries such as Kenya, ranging from hydroponic farming to powering small communities. There are a number of exciting projects in operation, which is why it is important to run a pilot and secure investment so that we can realise the true potential of the technology.

While it is not often that Clackmannanshire has a competitive advantage over other local communities, we have a relatively unique geographical opportunity. However, there are more reasons to invest in Clackmannanshire. It suffers from high levels of deprivation, and a significantly high level of fuel poverty. Local authority surveys have identified the fact that one in three households in Clackmannanshire suffers from fuel poverty, rising to 49% among pensioners. Heat accounts for nearly half of energy consumption in Clackmannashire and a third of its carbon emissions. Roughly 80% of that is consumed in homes and other buildings.

The local economy is vulnerable. It has a higher than average unemployment rate, the third lowest job density in Scotland, below average earnings, and of all the local authorities in Scotland, Clackmannanshire has the lowest rating for skilled qualifications. That is not to talk Clackmannanshire down. It may be the known as the wee county, but as I said in my maiden speech, “it is not size but what you do with it that counts.”—[Official Report, 27 June 2017; Vol. 626, c. 524.]

**John Lamont (Berwickshire, Roxburgh and Selkirk) (Con):** I am grateful to my hon. Friend for making such a powerful case for this initiative in his constituency. I am sure that there are other parts of Scotland that could benefit from his insight. What opportunities can we see for this initiative being delivered as part of the UK Government’s industrial strategy? Does he recognise that many projects could be delivered in Scotland as part of that overall initiative?

**Luke Graham:** I could not agree more; the industrial strategy is about having a stronger blueprint for the whole of Britain and it is important that the investment, especially in reserved areas such as energy, is spread throughout the United Kingdom in a fair manner to attract the true opportunities that are found in each individual area.

Developing geothermal energy in Clackmannanshire would make the county more attractive to investors, businesses and developers. By helping to establish a resilient, environmentally-friendly heating and energy system, it could provide affordable, low-carbon heating and energy to local households and businesses. Furthermore, by delivering estimated savings of 50% for the local authority, it would free up much needed additional funding to invest back into local services, which have faced substantial cuts.

The Department for Business, Energy and Industrial Strategy has stated that we need to move away from having one energy network towards having smaller, more regional networks. That is precisely what we can do and what we hope to do in Clackmannanshire. By reducing energy bills, it will help us to create a more stable, affordable energy market in the area, which is central to improving and maintaining living standards in the community. In turn, it will help Clackmannanshire to become more self-sustaining, allowing it to support businesses, improve educational opportunities, and tackle social inequalities and the fuel poverty crisis.

Geothermal energy is not the solution to every single issue experienced in Clackmannanshire, despite what we have said tonight, but it could be a significant step in the right direction. One of my biggest frustrations since becoming an MP almost a year ago to the day has been the “devolve and forget” approach that has been allowed
to permeate since devolution nearly 20 years ago. However, energy is not devolved. Devolution does not mean separate and it should not act as a wall. Devolution was just a means to bring powers closer to the people who need them in order to deliver things better. This is still the UK Parliament and Scotland is still part of the UK. To be clear, without Scotland there is no United Kingdom.

Scotland has the infrastructure and expertise in place to lead the United Kingdom in geothermal energy and contribute towards the UK’s clean growth strategy. That is why I urge the Minister to put Scotland at its heart when considering Government investment and to put geothermal energy in Clackmannanshire at the forefront of that investment. Scotland has been at the forefront of every major industrial development of the United Kingdom, from the industrial revolution in the 18th and 19th centuries to oil and gas in the 20th and 21st centuries. It has the infrastructure and expertise to lead the UK, and putting the investment in now could be transformational for the area and for the wider UK.

There is no law stopping the UK Government investing directly in Scottish local authorities, least of all the devolution settlement, the various Scotland Acts or the Smith commission, especially when the right opportunity arises. This is the right opportunity—an opportunity to invest in and improve our renewable energy sector; an opportunity to lower our carbon footprint; an opportunity to tackle fuel poverty; and an opportunity to bring jobs, prospects and prosperity to one of the most deprived areas of Scotland. I urge the UK Government to grasp this opportunity and to let the people of Clackmannanshire lead the rest of Scotland and the United Kingdom in growing geothermal energy.

I make no apologies for keeping Clackmannanshire firmly in the minds of the UK Government and the decision makers who lead it, as I want to maximise the investment coming to the wee county and to my wider constituency of Ochil and South Perthshire from Westminster. Developing geothermal energy in Clackmannanshire has the potential to combine heritage with new technology to bring investment to the county, turning a so called negative legacy into jobs, training and long-term opportunities for the county. This is what I believe Government is for—not to deliver every job, but to ensure that every part of our country can take advantage of the opportunities afforded to it. I hope that the Minister will help Clackmannanshire achieve its potential this evening.

10.19 pm

The Minister for Energy and Clean Growth (Claire Perry): What a very lively Adjournment debate. They rarely get as good as this: a seamless team effort from my hon. Friend the Member for Ochil and South Perthshire (Luke Graham) and his colleagues focusing on a particularly fascinating new area of technology. It is a refreshing change to hear Members who are passionate about their Scottish constituencies, and who are prepared to stand up and work with the UK Government rather than just criticise and carp. That sense of working together to deliver this technology is very important.

I am delighted to be able to talk more about the Clackmannanshire geothermal energy project, which, as my hon. Friend rightly set out, looks to use a local resource from the legacy of decades of mining in a way that helps us to meet our renewable energy targets, and create jobs and innovation for the future. My hon. Friend made reference to our renewable energy successes. We are right, collectively across the UK, to be proud of them. Thanks to investment in innovation by UK taxpayers, working together north and south of the border, and east and west we are very much on target to achieve 30% energy supply from renewables by 2020. In fact, it looks as if we will go substantively beyond that. Scotland with its beauty—my hon. Friend alluded to it; his speech was a wonderful travel advert for his constituency—natural geographic advantages and engineering expertise has very much been in the forefront of that.

That brings me to the role of geothermal energy, which is a critical part of the renewable energy resource. It can be used in several ways, for example heat networks. The UK Government have set aside over £300 million to invest in district heat networks over the next few years. They are a really important way of bringing it forward. Deep geothermal power is another opportunity to create heat and generate power, as my hon. Friend the Member for Stirling (Stephen Kerr) discussed.

This is not about finding new resource. The mining legacy has created a lot of holes in the ground beneath our feet, which have filled up with water. The water has become heated and is now available without drilling deep wells. This is relatively easy to set up. I am proud to be working with the Coal Authority and others to consider how we might manage this mining legacy. Across the UK, it has recently been assessed that there are over 2 million GW hours of low-carbon energy stored in mine workings across the UK. I feel strongly that we should be looking at how to extract it.

As I said, there are several ways to use this very valuable resource. We can use it as heat to supply homes and businesses. It can help to deliver the clean growth aspects of our industrial strategy, because it can be used to provide heat to certain business sectors. It can also provide opportunities for energy through regeneration and storage. A lot of work is being done on storage capability. The problem with renewables is that they can be very intermittent. How do we store energy in a liquid state? Deep networks could be a way to help us to lead the world on this going forward. We are looking across the UK to see how we might exploit this great resource.

As my hon. Friend the Member for Ochil and South Perthshire eloquently and passionately set out, we have opportunities in Clackmannanshire to understand how the UK to see how we might exploit this great resource.

As my hon. Friend made reference to our renewable energy successes. We are working on heat networks. As my hon. Friend is well aware, there is a series of competences between the UK Government and the devolved Administration. Heat is a devolved matter, but energy is a reserved matter. There is, therefore, a huge area between the two parts of our government system where we have opportunities to work together on heat projects.
My hon. Friend and his constituency neighbour, my hon. Friend the Member for Stirling, should be patting themselves on the back for securing a city region deal worth more than £90 million to the region. The UK Government are investing more than £45 million, the Scottish Government are investing, the local councils are investing—it is truly a good example of partnership working. [ Interruption. ] As I said, it is always better when we work together—a message sometimes lost on Scottish National party Members.

This ambitious and innovative deal will drive economic growth across the region, innovation and research with at its heart, and also focus on the area’s incredible natural heritage. I think that we could expand the definition to include the mine workings and geothermal possibilities. That is what the Clackmannanshire geothermal energy project seeks to do, and my Department will absolutely support it, exploring potential funding routes and sharing learning from other networks from across the UK.

We are committed to supporting the project. We see opportunities for high-quality, cost-effective heating, for the creation of renewable energy and for the provision of many other benefits to the area. I am delighted that my hon. Friend has once again raised this opportunity and demonstrated the passion and commitment with which he and his constituents support it. It was encouraging to hear that other local businesses are already coming forward wanting to be part of it.

I hope that this debate can be the start of the process. It has allowed us to look at how we might fit the scheme into the various funding streams available. I would love to think it could be one of the first of many projects across the UK that will tap back into that resource beneath our feet. It is a resource that was created by the blood, sweat and tears of many thousands of fine working men—generally men—in the past, and it would be wonderful to use that legacy to help us to meet the targets of our renewable and low-carbon future.

My hon. Friend says it is a wee county but that it is not size that matters but what you do with it. It is a little late for that kind of commentary, so I will finish simply by commending him for doing such a superb job of standing up for his constituents and presenting the best way of combining the legacy of that wonderful area with some of the low-carbon energy solutions of the future.

*Question put and agreed to.*

10.26 pm

*House adjourned.*
The Minister of State, Ministry of Justice (Rory Stewart): I pay tribute to the hon. Lady and, indeed, to my hon. Friend the Member for Sittingbourne and Sheppey (Gordon Henderson). The idea is for a parliamentary scheme focused on the Prison Service, along the lines of the parliamentary schemes for the police and the armed forces. This is an exceptional opportunity to show the public, through their elected representatives, the extraordinary work that prison officers do day in, day out. It is a very tough and a very challenging job, so, inspired by the hon. Lady and my hon. Friend, we have asked the Department to develop a scheme of exactly the kind that they have proposed.

Liz Saville Roberts: I am delighted to hear the Minister’s response, as, I am sure, are the leaders of the Prison Officers Association who are with us in the Gallery today. I am sure he will agree that this must not be just a stage-managed public affairs exercise, and I ask him to commit himself to working with the POA on the design of the scheme.

Rory Stewart: That seems an excellent idea, and I am glad that the POA representatives are here today. As the hon. Lady—and any other Members who have visited a prison—will know, prisons are rarely stage-managed affairs, but we will work closely with the POA to ensure that the scheme reflects the experience of working prison officers.

Gordon Henderson (Sittingbourne and Sheppey) (Con): I, too, am delighted by the Minister’s announcement. Can he give us any indication of how long it is likely to take to get the scheme up and running?

Rory Stewart: Let me again pay tribute to my hon. Friend for having inspired the scheme. The proposal is being put together by the Department at the moment, and I hope that before the end of the year we shall be able to enrol at least a couple of Members of Parliament on exactly such a scheme.

Jim Shannon (Strangford) (DUP): As one of those who has served on the armed forces parliamentary scheme and seen the benefits that it provides in increasing knowledge, I commend the Minister for what he is doing. I suggest that this scheme should be similar to the armed forces scheme, because it has worked extremely well, and I think that the Prison Service should take advantage of it.

Rory Stewart: We are looking closely at the armed forces parliamentary scheme, and also at the police parliamentary scheme, in which my right hon. Friend the Secretary of State took part. Those are quite large and well-funded schemes, so we are looking at them carefully. This scheme may start as a smaller pilot, but we certainly want to model it on those other schemes.

Julia Lopez (Hornchurch and Upminster) (Con): A Prison Service parliamentary scheme would give prison officers an opportunity to flag directly with Members of Parliament wider law and order issues, one of which is the use of separation jail cells to hold Islamist terrorists who pose a national security threat through attempts to radicalise other inmates. Many of those cells are lying empty. What work are you doing to ensure that they are in full operation?

Mr Speaker: I am doing no work on this matter whatsoever, but the Minister may be.

Rory Stewart: My hon. Friend is absolutely right. Managing Islamist extremists in prison means that, as well as identifying them and gathering intelligence on them, it is sometimes necessary to remove them from the general population to prevent them from radicalising other people. We have therefore set up two separation units, one of which is in Frankland Prison, and a third will shortly be set up in a new high-security prison. Such units are a vital element of managing extremists.

Legal Aid

2. Anna Turley (Redcar) (Lab/Co-op): What assessment he has made of the effect of the decline in the number of people receiving legal aid for early legal help on access to justice.

The Parliamentary Under-Secretary of State for Justice (Lucy Frazer): The hon. Lady is right to draw attention to the importance of early legal help. If a problem can be solved at an early stage, it can be prevented from escalating later. That is why the Department spent nearly £100 million on early legal help last year.

Anna Turley: I appreciate the Minister’s response, but the cuts in legal aid are having a devastating effect. One of my constituents is seeking legal aid after leaving a coercive, controlling relationship in which she suffered not just physical but financial abuse. Her former partner left significant debts in her name. She works, but she does not qualify for legal aid now due to her salary. Because the payments are taken out under court order before she receives her pay, she is left with no money for legal costs. He gets legal aid because he works. Surely this is not fair, and will the Minister review it?
Lucy Frazer: The hon. Lady has made an important point. The Government have done a significant amount in relation to domestic violence, understanding that it often involves not just physical abuse but, as the hon. Lady says, coercive control. We have also changed many of the guidelines relating to domestic violence so that people who have experienced such abuse can obtain legal aid more easily. I hope that that resolves some of the problems that the hon. Lady has identified.

Richard Burgon (Leeds East) (Lab): The Government’s cuts in legal aid have caused widespread damage to access to justice. The Information Commissioner has now taken serious action against the Ministry of Justice, owing to its refusal to publish in full the findings of its own research, which reveal judges’ deep concerns about the damage that is being caused. Would not the Government have spent their time better in trying to fix the broken justice system, rather than engaging in crass attempts to cover up embarrassing research findings showing the failures of their legal aid policies?

Lucy Frazer: As the hon. Gentleman will know, we are currently engaged in an extensive review of the Legal Aid, Sentencing and Punishment of Offenders Act 2012. We have met with over 50 organisations or individuals so far this year. I am aware that a complaint has been made to the Information Commissioner’s Office, and my Department is working closely with the ICO on this matter.

Richard Burgon: The truth is that our legal aid and wider justice system is in crisis—a crisis created by this Government’s reckless cuts agenda—and the Government seem to be trying to bury the truth about the legal aid crisis. The research I referred to that was hidden away said that the judges “believe unrepresented defendant numbers have increased and this is disproportionately reducing the efficiency of the courts.” So will the Government today come clean and explain to this House why such evidence from judges about the scale of the damage the Government’s cuts are causing to access to justice was removed from the published report?

Lucy Frazer: The hon. Gentleman will know that 99% of people who claim legal aid in the Crown courts are granted it. He will also know that in the report he identified, although there are some unrepresented defendants, most people surveyed said that did not make a difference to outcomes.

Offenders: Housing and Benefits

3. Grahame Morris (Easington) (Lab): What steps his Department is taking to help offenders access (a) housing and (b) benefits on release from prison.

The Lord Chancellor and Secretary of State for Justice (Mr David Gauke): A home provides a released offender with a stable platform and increases their chances of finding a job, accessing health services and tuning their lives around. The Government aim to eliminate rough sleeping by 2027. As part of this commitment, my Department will work with the Ministry of Housing, Communities and Local Government to pilot initiatives, helping those with a history of offending to access and sustain suitable accommodation. We are also working closely with the Department for Work and Pensions to explore ways of enhancing the current benefit claim system.

Grahame Morris: I thank the Minister for his response, but I recently supported a constituent who, after six months in prison, had successfully kicked his drugs habit. After being released from prison with no housing or benefits in place, he had to rely on former associates for support. He has now returned to drugs and his chaotic lifestyle—the one he wanted to escape. Does the Minister believe that lack of supervision and support for offenders leaving prison is likely to increase or decrease reoffending?

Mr Gauke: We must work across government to ensure that those circumstances do not happen. It is right that we engage with local authorities, the MHCLG and the DWP to ensure that the support is there, and we also need to make sure that the probation service is working as it should to provide support for those offenders.

Andrew Selous (South West Bedfordshire) (Con): Some local authorities claim that prisoners sent away from their home area have no local connection when they need to find housing. Will the Secretary of State have a word with the Secretary of State for Communities to make sure there is no discrimination among local authorities against ex-offenders; they just need to be treated fairly, the same as everyone else?

Mr Gauke: My hon. Friend makes a good point and we discuss this issue with the MHCLG. We are also working with the Local Government Association in advance of its October commencement of the duty to refer under the Homelessness Reduction Act 2017 to improve partnership working between prisons, probation providers and local authorities.

Chris Elmore (Ogmore) (Lab): Release from prison is particularly difficult for women, and I have raised this issue with the Prisons Minister, the hon. Member for Brucknell (Dr Lee), in Westminster Hall. Will the Secretary of State set out what he will do to support women up for release, not just in respect of when they are released from prison but also in keeping the family link, which is extremely important?

Mr Gauke: That is an important point, and we will publish our women offenders strategy in the near future. We must address reoffending by ensuring that when people are released they are settled in the community as successfully as possible.

Mr Richard Bacon (South Norfolk) (Con): Prisoners who build their own houses and then rent them at an affordable rent are much less likely to reoffend. Will the Secretary of State meet me and members of the Right to Build Task Force to discuss how this excellent initiative can be spread more widely?

Mr Gauke: I congratulate my hon. Friend on managing to raise the issue of right to build in as many forums as possible, and I would be delighted to meet him to discuss the opportunities here.
Sir Edward Davey (Kingston and Surbiton) (LD): Does the Secretary of State accept that the number of ex-offenders ending up homeless has increased significantly in recent years, and will he accept that his Department’s policy objectives for reducing reoffending and helping rehabilitation will go nowhere unless this issue is tackled?

Mr Gauke: I accept that if we want to reduce reoffending and to rehabilitate, we have to ensure that we address the issue of housing. I absolutely accept that, which is why I am determined to work with local authorities and the Ministry of Housing, Communities and Local Government to address it.

Youth Justice System

4. Eddie Hughes (Walsall North) (Con): What steps the Government are taking to reform the youth justice system.

The Parliamentary Under-Secretary of State for Justice (Dr Phillip Lee): We are increasing the frontline staff numbers in youth offending institutions by 20%. We have introduced enhanced support units at one location—soon to be two—to improve the behavioural management of very difficult children. We are also introducing secure schools, to fundamentally change the environment in which young people in custody are held.

Eddie Hughes: I thank the Minister for his answer. Perhaps he could tell us what role sport could play in helping to work with people in the youth justice system?

Dr Lee: It is interesting to note that the average person in youth custody spends more time in the classroom per week than I did at grammar school. I am firmly of the opinion that sport should play a bigger part in the youth justice system.

Richard Burgon (Leeds East) (Lab): Youth offending teams have a crucial role to play in preventing our young people from becoming offenders or victims of crime, but the Ministry of Justice has halved the funding for those teams since 2010. We have now found out that they are facing another real-terms cut this year, despite the spate of knife and gun attacks. Does the Minister believe that the Government’s cuts to youth offending budgets leave us more safe or less safe?

Dr Lee: The youth offending team budgets are the same in cash terms this year as they were last year. The issue of ghastly knife crime to which the hon. Gentleman refers is clearly serious and, sadly, it is occupying the news headlines almost on a daily basis. Our approach to this is not just about youth offending teams; there is also a broader issue with regard to serious violence. We need to address the motivation of young people to use those knives. Going back to the previous question, dealing with this will require a cross-Government approach.

Mr Philip Hollobone (Kettering) (Con): What proportion of youth offenders become adult offenders, and is that figure going up or down?

Dr Lee: I do not have the exact figure, but I am pretty sure that it is a large proportion and I wish that it was smaller. We recognise that the performance of the youth system in improving reoffending is not good enough, which is why we are introducing new ways of holding young people, through secure schools. I am under no illusion about how difficult this is, but it is better that we intervene early in a young offender’s “career” than letting them go on to have a lifetime of offending.

Mr Speaker: My antennae tell me that the Minister will be writing to the hon. Member for Kettering (Mr Hollobone) with further and better particulars, and I am sure that hundreds of colleagues will eagerly await a copy of that letter finding its way into the Library of the House.

Personal Independence Payment Appeals

5. Mr Stephen Hepburn (Jarrow) (Lab): What assessment he has made of trends in the level of personal independence payment appeals that have been successful at tribunal.
The Parliamentary Under-Secretary of State for Justice (Lucy Frazer): I am aware of the important issue that the hon. Gentleman highlights. I recently met the Minister for Disabled People, Health and Work to discuss how our Departments can work together, and I was pleased to see that the Department for Work and Pensions is taking several measures to ensure that it gets decisions right the first time.

Mr Hepburn: Does not the fact that two out of three appeals in the north-east are successful prove that the privateers that the Government employ to carry out PIP assessments in the first place are not fit for practice by callously letting down disabled people and ripping off the taxpayer?

Lucy Frazer: The DWP is taking a number of measures to ensure that it gets decisions right the first time. It has recruited an extra 150 presenting officers and is taking feedback from the tribunals to ensure that the reconsideration process is as effective and as right as possible.

Joanna Cherry (Edinburgh South West) (SNP): Yesterday, the DWP yet again decided not to appeal a PIP case for fear of losing, and it owes billions in back payments following successful tribunals. I am pleased to hear that the Minister has had discussions with the DWP, but will she tell us whether she specifically raised the distress that going through unnecessary appeals causes claimants and the waste of public money from the UK Government fighting cases?

Lucy Frazer: The hon. and learned Lady makes an important point. Nobody wants people to go to court unnecessarily and nobody wants the most vulnerable to be put under unnecessary pressure. Many parts of the system are doing their best. We are looking at digitisation to improve the process and to make the system easier to use, and we are also trying to get clearance times down. The judiciary is also working closely with the DWP to try to ensure that people get decisions right the first time and quickly.

Joanna Cherry: In Scotland, the new social security agency has at its heart a culture of dignity, fairness and respect. The Law Society of Scotland has said that the United Kingdom benefit system does not treat claimants with dignity and fails to develop best practice from learning from appeal decisions. What discussions did the Minister have with her DWP counterpart about the need to observe the principles of administrative justice in how the benefit system is administered and about how the DWP will learn from appeal decisions so that it stops making the same mistakes over and over?

Lucy Frazer: I discussed getting decisions right the first time with Minister for Disabled People, Health and Work, and we talked about the importance of getting feedback from the tribunal that can be fed into the DWP’s decision makers to ensure that they get decisions right the first time. I also liaise with Her Majesty’s Courts and Tribunals Service to ensure that all aspects of the process are managed effectively.

Prisons: Mobile Phones

6. Robert Courts (Witney) (Con): What steps the Government are taking to prevent the use of mobile phones in prisons.

The Minister of State, Ministry of Justice (Rory Stewart): To prevent mobile telephones from getting used in prisons, we need to do four things: we need to prevent them getting into prisons, which is about searching at the gate; we need to detect them in cells; we need to intercept transmissions; and we need to jam those telephones. We are doing all those things.

Robert Courts: I thank the Minister for that answer, but criminals are often ingenious in getting items, such as mobile phones, or drugs, such as former legal highs, into prisons. Will he assure me that prison officers have access to the latest investigative technology to ensure that we can stamp out this trade?

Rory Stewart: I want to take this opportunity to pay tribute both to my hon. Friend and to my hon. Friend the Member for Lewes (Maria Caulfield), who is taking through a private Member’s Bill to make it easier to jam and intercept mobile phone transmissions. Technology is changing all the time, and there are some challenges, particularly in heavily built-up areas, but we are absolutely committed to having the appropriate technology in different prisons to jam and intercept those phones.

Mr Ben Bradshaw (Exeter) (Lab): After last week’s shocking report on the state of Exeter Prison, including the availability of mobile phones and drugs, will the Minister reassure me that the prison is getting all the support, resources and supervision that it needs to implement the inspector’s recommendations as a matter of urgency?

Rory Stewart: I pay tribute to the right hon. Gentleman, whom I spoke to about this issue over the weekend. The director of operations, Phil Coppol, is on his way to Exeter as we speak. I have also spoken to the prison’s governor on the phone, and we are bringing him up to have another conversation with the chief inspector of prisons. It is vital that we address all the issues within the urgent notification, and the central issue is preventing violent assaults on prisoners and prison officers.

Court Closures

7. Nic Dakin (Scunthorpe) (Lab): What assessment his Department has made of the effect of court closures on access to justice.

The Parliamentary Under-Secretary of State for Justice (Lucy Frazer): We are looking at a number of ways to reform and improve our justice system through technology, through our court estate and through people. We are spending £1 billion to upgrade our justice system. In 2016-17, 41% of courts and tribunals were used at less than half of their available hearing capacity. In circumstances where money raised from the sale of any court building will be reinvested into our justice system, it is appropriate to ask whether spending on physical buildings is the best use of money.
Nic Dakin: It is hardly surprising that towns like Scunthorpe feel that they are being left behind by this Government when it is our courts and magistrates courts that close. It is always things in our towns that close, even before the new technologies that need to be in place have been properly evaluated and investigated. When will the Minister evaluate the impact of these court closures on communities, and when will she evaluate the effectiveness of new technologies?

Lucy Frazer: I am aware that the hon. Gentleman’s court was closed in December 2016, and I have read his detailed response to the consultation from October 2015. I understand that, when courts are closed in a particular area, the people in that area feel particularly affected, but I assure him that, as we bring in video technology, we are assessing the use of that technology and trying to improve it at every stage.

Victoria Prentis (Banbury) (Con): The Minister is aware of my concerns about the closure of Banbury court. What steps has she taken to investigate the use of other public buildings for court services?

Lucy Frazer: My hon. Friend has raised her potential court closure with me on a number of occasions. I have also read her response to the recent consultation, in which she raises a number of points, including the one she has just identified. We will look at using other buildings in the community.

Yasmin Qureshi (Bolton South East) (Lab): The recent National Audit Office report on the courts programme says:

“Expected costs have increased and planned benefits have decreased.”

Given that the National Audit Office says the courts programme will now cost £1.2 billion—£200 million more than the Government previously stated—will it lead to even deeper cuts elsewhere in the Ministry of Justice’s budget?

Lucy Frazer: The hon. Lady highlights the ambition of the programme, which the NAO report identifies. It is a very ambitious programme, and it is right to be ambitious about our justice system. The NAO report acknowledges the early progress that has been made and makes recommendations about how we can strengthen the process. We will be taking all those recommendations on board.

No Body, No Parole Law

8. Stephen Metcalfe (South Basildon and East Thurrock) (Con): What progress has he made of the potential merits of bringing forward legislative proposals on a no body, no parole law.

The Minister of State, Ministry of Justice (Rory Stewart): I pay tribute to my hon. Friend and to the hon. Member for St Helens North (Conor McGinn) for the incredible energy that has gone into this campaign. There is something peculiarly disgusting about the sadism involved when an individual murders somebody and then refuses to reveal the location of the victim’s body. There have been delays in framing the right kind of legal response, but I am absolutely confident that we can overcome that. Officials are now bringing forward advice that I hope will achieve, through a different method, exactly what hon. and right hon. Members have been campaigning for.

Stephen Metcalfe: The introduction of a no body, no parole law, known as Helen’s law, is very important to my constituent Linda Jones, as the location of her daughter Danielle’s body has never been disclosed by her killer. Can my hon. Friend therefore tell the House what impact assessment has been commissioned or carried out to support this introduction?

Rory Stewart: The Department has now proposed two options, which the Secretary of State and I will discuss over the coming days in order to get a solution. We are clear that refusing to reveal the location of a body is an absolutely disgusting practice, and we ought to be able to use legal methods to impose consequences on individuals who refuse to do so.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): Is the Minister aware that many of us would support such legislation, particularly if it were also linked to miscarriages of justice? People who are found to have been wrongly convicted and are released after spending years in prison come out with no compensation and no reintegration into society—surely that cannot be right.

Rory Stewart: Perhaps I could sit down with the hon. Gentleman to discuss that in more detail. It is a very important subject, but I think the issue of miscarriages of justice is slightly different and perhaps we could take that offline.

Mr Sheerman: It was the only way I could get in.

Mr Speaker: It is a phenomenon known in the House, or certainly known in this Speaker’s Office, as “shoehorning”: a colleague shoehorning in his own amendments, as I certainly know.

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Mr Sheerman: Shoehorning Sheerman.

Mr Speaker: Yes, Sheerman-horning.

Prison Officer Safety

9. Mike Wood (Dudley South) (Con): What progress have the Government made on improving the safety of prison officers.

14. Sir David Evennett (Bexleyheath and Crayford) (Con): What progress have the Government made on improving the safety of prison officers.

The Minister of State, Ministry of Justice (Rory Stewart): The safety of prison officers is of paramount importance. We owe them a huge debt of gratitude. I pay tribute to the hon. Member for Rhondda (Chris Bryant), who introduced a private Member’s Bill to double the sentence for assaults on prison officers and other emergency workers. There is much more we can do in this area—we are testing pepper spray and looking at body-worn cameras—but fundamentally this is about having the right staffing numbers and a proper, predictable regime in a prison to calm the prison down and prevent these completely unacceptable attacks.
Mike Wood: Despite the number of assaults on prison officers, very few offenders are prosecuted. Will the Minister ensure that anyone who attacks an on-duty prison officer faces the full weight of the law and can expect the punishments that those crimes would attract elsewhere?

Rory Stewart: Absolutely, and this was debated in this House when we discussed that private Member’s Bill. At the moment, people are getting a sentence of 22 weeks for spitting at a police officer, but it is rare for such prosecutions to be brought for assaulting a prison officer. We therefore wish to work closely with our colleagues in the police to make sure that prosecutions are brought and that prison officers are properly protected. I have been talking to my right hon. Friend the Minister for Policing and the Fire Service to ensure that we can get more police officers into prisons.

Sir David Evennett: When I recently visited Pentonville prison, I was naturally concerned about reports of a number of attacks on its prison officers. The safety of our prison officers is of paramount importance, so what further steps is my hon. Friend taking to ensure that they have all the support they need to keep themselves safe?

Rory Stewart: I pay tribute to my right hon. Friend for visiting Pentonville prison. I was lucky enough to be there two weeks ago, and I pay tribute to its excellent governor for the very good work he is doing. It is one of the most testing, busy London local prisons, and it faces a huge number of issues, but protecting prison officers is fundamentally about having a predictable, stable regime, enough prison officers on the landing, the right kind of training and relationships to calm things down, and, ultimately, protection.

David Hanson (Delyn) (Lab): Given that the number of assaults on prison officers has risen by 23% in the past 12 months, what assessment has the Minister made of the effectiveness of the programme to modernise the court system.

Mr Philip Dunne (Ludlow) (Con): What assessment the Government have made of the effectiveness of their programme to modernise the court system.

The Parliamentary Under-Secretary of State for Justice (Lucy Frazer): We are making significant progress on modernising our courts system and upgrading our justice system. We are spending £1 billion on our reform programme. For example, we have recently established the online court for civil claims. Claims of up to £10,000 can now be made via an online claim form, which is an effective and easy-to-use process.

Mr Dunne: The Minister is aware that capacity concerns were expressed about the removal of all remand cases in West Mercia from magistrates courts in Shropshire, Telford, Herefordshire and Worcestershire to Kidderminster. Although that might have created some efficiencies for the courts, it has also created considerable inefficiencies for the other vital elements of the criminal justice system. If somebody on remand misses the 7.30 am van from Telford, they might now have to wait an extra 24 hours in custody, whether they are innocent or guilty. Can that be right?

Lucy Frazer: I know that my hon. Friend is concerned about this issue. I was pleased to meet him and neighbouring MPs before Easter. He has campaigned diligently on this issue on his constituents’ behalf and I look forward to meeting him later this week to discuss it. I should also let him know that officials from Her Majesty’s Courts and Tribunals Service have arranged a review meeting on 13 June with the principal agencies affected by the change. I know that my hon. Friend has submitted evidence for that meeting.

Offenders: Education and Employment

Bob Blackman (Harrow East) (Con): What assessment he has made of the role of employment and education in reducing rates of reoffending.

Iain Stewart (Milton Keynes South) (Con): What steps the Government are taking to improve access for offenders to education and employment.

Alan Mak (Havant) (Con): What assessment he has made of the role of employment and education in reducing rates of reoffending.
Bob Blackman: I thank my right hon. Friend for his answer, and for his earlier mention of my Homelessness Reduction Act 2017 and the duty to ensure that ex-offenders get a decent house when they leave prison, which comes in in October. More widely, will he review education training and reward ex-offenders for participating in such programmes so that they do not reoffend when they leave prison?

Mr Gauke: I pay tribute to my hon. Friend for his work on the Homelessness Reduction Act, which was a significant achievement. In respect of making sure that the incentives in the system are right, my hon. Friend absolutely hits the nail on the head. I am determined to ensure that we have the right incentives in the system to reward good behaviour and to bring down reoffending.

Iain Stewart: Milton Keynes College is a leading provider of offender-learning programmes. I have discussed the New Futures Network with college staff, and while they welcome the Government’s new strategy, they and I would be grateful for further details of how employers will be incentivised, and perhaps even mandated, to employ a certain percentage of ex-offenders.

Mr Gauke: Our approach is to encourage employers to take on ex-offenders. Some employers do marvellous work and not only make a real contribution to society, but find that they get very good employees. There are also employers who, frankly, are not engaging at all. There has been a change in public mood on this issue and we want to encourage much more engagement. We all have a role to play.

Alan Mak: Digital and technology skills are now vital in every workplace. They help those released from prison to secure better jobs, thereby reducing reoffending. What support is my right hon. Friend’s Department giving for such important skills training?

Mr Gauke: My hon. Friend raises an important point. Information and communications technology forms part of the prison common core curriculum. It will be increasingly important, which is why it is right that we provide training in digital and technology skills. It is worth pointing out that from April 2019, governors will be given increased flexibility to commission the right education mix for their prisons. We expect that digital and technology will feature highly in governors’ plans.

Thangam Debbonaire (Bristol West) (Lab): I refer the House to my entry in the Register of Members’ Financial Interests.

Domestic violence offenders are particularly prone to repeat offending, so what commitment will the Secretary of State give to ensuring that the mandatory provision of domestic violence perpetrator programmes is made available to domestic violence offenders in all prisons through the domestic abuse Bill?

Mr Gauke: I am grateful to the hon. Lady for raising that point. She is absolutely right about the repeat-offending nature of domestic abuse. She will be aware of the Government’s consultation on domestic abuse, which concluded at the end of last month. We are looking at ways in which we can bring down reoffending, and getting the right courses and training in prisons, including on domestic abuse, is very important.

Mr Gregory Campbell (East Londonderry) (DUP): Education is particularly important in trying to ensure that offenders not only do not reoffend, but get employment post-custody. What steps is the Minister taking to ensure that governors in all prisons right across the regime are aware that prisoners’ educational attainment is paramount if they are to find employment once they leave prison?

Mr Gauke: The hon. Gentleman raises an important point. On the prisons for which we are responsible, I have set out the education and employment strategy, and the focus is on ensuring that governors have greater control over how they provide education within their prisons. His point about the link between education and employment is absolutely right. Of course, employment is linked very strongly to reoffending rates.

Chris Bryant (Rhondda) (Lab): May I urge the Secretary of State to look at the correlation and causation between traumatic brain injury and reoffending? The most recent survey that has been done in the prison in Leeds showed that nearly 50% of prisoners had a traumatic brain injury, and that 30% of them had more than five. Does it not make sense to screen every single prisoner when they arrive in prison and ensure that they have rehabilitation for their brain injury?

Mr Gauke: The hon. Gentleman raises an important point, because there is evidence showing links between brain injuries and offending. If I may, I will take away his suggestion about testing across the board to see whether that is the right use of resources—that is something that we would have to look at—but he makes an important point about understanding the link between brain injuries and offending.

Mrs Pauline Latham (Mid Derbyshire) (Con): When there are employers who wish not only to help people when they come out of prison but to train them while they are in prison, will my right hon. Friend ensure that no prison puts barriers in place because of risk assessments so that we ensure that they can actually help prisoners?

Mr Gauke: We do want to encourage employers to get into prisons to work with prisoners before they are released. It is important that there is not a huge cliff edge from being in prison to then being released. We need to look at the best ways in which we can do that.

Imran Hussain (Bradford East) (Lab): We welcome the Government’s emphasis on education and employment skills, as they are the best route out of poverty and the cycle of reoffending, but when the Secretary of State made the announcement, he forgot that he had scrapped the National Careers Service in prisons, and presented an employment strategy that omitted to mention the provision of employment and careers advice. Why was that absent from the strategy?

Mr Gauke: I welcome the Opposition’s support for our focus on education and employment, but may I say to the House that Dame Sally Coates noted in her 2016 review of prison education that the National Careers
Service was delivering a service in an increasingly crowded environment, with multiple employment advice and support services operating in custody and through the gate. That was why the decision was made to reform this area. It is right that we do so, but I am determined to ensure that we provide the right support to prisoners so that they can get a job when they are released.

**Prisons: Rehabilitation Technology**

12. Giles Watling (Clacton) (Con): What progress has been made on introducing technology to assist with rehabilitation in prisons. [905589]

The Lord Chancellor and Secretary of State for Justice (Mr David Gauke): As a pilot, we have introduced basic computers and telephones into prison cells in HMPs Berwyn and Wayland so that prisoners can manage some of their day-to-day tasks such as ordering meals, making healthcare appointments and booking social visits. This technology also gives prisoners access to learning opportunities and basic educational content, and enables them to telephone their families in a private environment. Prisoners are not given access to the internet.

Giles Watling: Can the Minister reassure me that digital technology in prisons will allow prisoners to access only educational opportunities, rather than the sometimes murky wider digital world?

Mr Gauke: I can provide my hon. Friend with that assurance. The digital technology currently available in prisons provides strictly controlled access to learning and training facilities. It is also used to provide opportunities for prisoners to access services within the prison environment to enable them to manage their time and activities while inside. There is no access to the internet, and strict security control prohibits access to the wider digital world.

**Victims Law**

13. Sarah Champion (Rotherham) (Lab): What progress is being made on introducing a victims law. [905590]

18. Jo Platt (Leigh) (Lab/Co-op): What progress is being made on introducing a victims law. [905596]

The Parliamentary Under-Secretary of State for Justice (Dr Phillip Lee): Supporting victims is a key priority for the Government, which is why we are bringing forward a victims strategy this summer. In compiling the strategy, we have consulted victims groups and academics, and across Government. In doing so, we have concluded that we will need legislative and non-legislative measures to ensure that the strategy works for victims.

Sarah Champion: I hear what the Minister says, but Rotherham Council is today debating the support available to adults who survive child abuse in my constituency. I have now spoken to two Home Secretaries, two Prime Ministers and countless Ministers, and the Ministry of Justice was in Rotherham last week. Still we are not getting the cash we need to enable 1,520 victims—at the current count—to turn into survivors. Will the Minister please give us the cash we need?

Dr Lee: The dreadful incidents in Rotherham, which sadly have been replicated across the country, have proved a challenge both to local government and to the national Government. The ongoing independent inquiry into child sexual abuse—IICSA—is throwing up a significant level of incidents. The Government are clearly engaged with the process of trying to assess what is needed to help these victims of child sex abuse, both as children and as adults. I am under no illusions that this concerns not only the Ministry of Justice but the Department of Health and Social Care and the Ministry of Housing, Communities and Local Government. All Government Departments are going to have to wrestle with this issue in the coming years because there has been significant child sex abuse over recent decades.

Jo Platt: Further to the question of my hon. Friend the Member for Rotherham (Sarah Champion), a new victims law would ensure that victims of crime are supported and can seek closure on their ordeal. Most importantly, it may encourage more people to come forward and report crime safely. Why, therefore, three years on from the Government’s manifesto commitment to introduce this important law, are we without any legislation in this House?

Dr Lee: I have just said that the strategy is going to include legislative measures to underpin the victims code. I am interested in legislation that is going to work, not legislation for legislation’s sake. Be in no doubt of my determination to improve the offering to victims both at the time of their abuse and in subsequent decades.

Rachel Maclean (Redditch) (Con): Two of my constituents have experienced tragic cases. They have been bereaved after the loss of a close relative, and their distress has been added to by the length of time that they have had to wait for the body to be released for a second post-mortem decision. The Minister has been very sympathetic, but will he commit to reviewing the law and raising this issue again with coroners on behalf of my constituents?

Dr Lee: My hon. Friend and I met to discuss these cases recently. The challenge is that coroners hold an independent judicial position, which is important and invaluabie. It is their responsibility to determine the cause of death. I clearly cannot talk about individual cases. The responsibility ultimately rests with the chief coroner. I do understand the deep distress that can be caused by any unnecessary delay, and I have passed this on to the chief coroner.

**Leaving the EU: UK Legal System**

15. Lee Rowley (North East Derbyshire) (Con): What steps the Government plans to take to ensure that the UK legal system operates effectively after the UK leaves the EU. [905592]

The Parliamentary Under-Secretary of State for Justice (Lucy Frazer): It is right that we provide legal certainty for businesses, individuals and families as we leave the European Union. As the Prime Minister said in her Mansion House speech, we will need to have effective
reciprocal arrangements with the EU to deal with cross-border issues. The Government will shortly publish their White Paper setting out their vision for the future UK-EU partnership.

Lee Rowley: Given that the UK legal industry is worth approximately £25 billion to the UK economy, what steps is the Ministry taking to ensure that this world standing is maintained post-Brexit?

Lucy Frazer: My hon. Friend makes an extremely important point. Our system is highly regarded throughout the world because of our respect for the rule of law, and the quality and integrity of our judiciary. The Department will seek to ensure that we help law firms to get the best post-Brexit arrangements with the EU on recognition and enforcement of judgments, and mutual recognition of qualifications.

Victims and Witnesses

16. Damien Moore (Southport) (Con): What steps his Department is taking to improve the court experience for victims and witnesses.

Lucy Frazer: We want to improve the court experience for everyone, including victims and witnesses. We now have video links in many courts that allow victims and vulnerable people to take part in criminal proceedings without having to meet the defendant face-to-face in court.

Damien Moore: What steps are being taken to ensure that victims and witnesses who give evidence in court are provided with access to counselling and other mental health services?

Lucy Frazer: My hon. Friend is right to identify the fact that we need to support vulnerable people who go through the justice system. That is why we will spend about £96 million this year to support and fund services such as the ones he identifies, including pre-trial visits and funding for police and crime commissioners to commission local services, including rape support services.

Ruth George (High Peak) (Lab): Has the Minister made an assessment of the report by the Justice Committee that raising the small claims limit would represent an unacceptable barrier to justice for victims of road traffic accidents, workplace accidents, and public liability incidents? Will the Department revisit those proposals in that light?

Lucy Frazer: It is important that all people, whether they have small claims or big claims, have access to court. One measure that we have already brought in is the small civil claims court, which enables claims to be brought online very quickly, often without the need for legal representation.

Sir Desmond Swayne (New Forest West) (Con): Notwithstanding Tommy Robinson’s gross contempt, does the Minister understand the level of public unease into which he tapped?

Lucy Frazer: That is a very important issue and I am very happy to discuss it with my right hon. Friend.
management of housing and reducing crime, so will the Minister undertake a proper evaluation of whether, across Government, this has been a case of penny wise and pound foolish?

The Parliamentary Under-Secretary of State for Justice (Lucy Frazer): As the right hon. Gentleman will know, with any sale of a court, the money is reinvested in the justice system. We have a £1 billion court reform programme, and the sale of any court will go into that investment.

Mary Robinson (Cheadle) (Con): A freedom of information request by the Press Association found that there had been only 11 charges related to the practice of upskirting since 2015. Does the Minister share my constituents’ outrage about the upset that upskirting causes victims, and will she provide an update on the Department’s review of the current law?

Lucy Frazer: My hon. Friend is right to identify that victims of upskirting are caused a great deal of upset. My officials have met Gina Martin, who has campaigned very hard on this issue. We are also looking at the details of the private Member’s Bill on this very important issue introduced by the hon. Member for Bath (Wera Hobhouse).

Stephen Lloyd (Eastbourne) (LD): I was contacted recently by my constituent, Anna Arnone, who was employed as a prosecuting barrister by the CPS. Her work allegedly was removed without notice or explanation, and she was refused any statutory interest on the amount owed. Will the Minister commit to look into my constituent’s case if I forward her the details?

Lucy Frazer: If that matter falls within my remit, I am happy to do so. If it is to do with the CPS, it will be for the Attorney General.

Sir Edward Leigh (Gainsborough) (Con): I will repeat the same question as last time, on the grounds that unless one makes oneself a complete bore, nobody listens. What progress has the Secretary of State made on replacing short sentences with alternatives? Short sentences in prison rarely achieve anything, due to a lack of training and rehabilitation.

Mr Gauke: My hon. Friend may have noticed that I made some remarks recently that were very sympathetic to that point of view. He has been effective before becoming a bore; I congratulate him on that. Reoffending rates for those given a short sentence are higher than for those given a non-custodial sentence, which is why we are delivering alternatives.

Tonia Antoniazzi (Gower) (Lab): One of the most upsetting cases I have dealt with over the past 12 months was where my constituent’s children were sexually abused by their father. I would like to thank the Under-Secretary of State for Justice, the hon. and learned Member for South East Cambridgeshire (Lucy Frazer), for her co-operation thus far. However, can the Minister explain why the victim’s criminal injuries compensation claim was originally turned down due to a lack of evidence, when the father is currently serving a lengthy prison sentence? How many children are facing that situation?

Lucy Frazer: If that matter falls within my remit, I assure the House that we need to focus on rehabilitation and reoffending, and one of the best ways of doing that is focusing on employment.

Mr Gauke: Very much so, and I want to pay tribute to the employers, businesses and charities that do so much in this space. I am pleased that there is a consensus in the House that we need to focus on rehabilitation and reoffending, and one of the best ways of doing that is focusing on employment.

Christian Matheson (City of Chester) (Lab): I have constituents who are close family members of the murdered Fusilier Lee Rigby. They are being taunted by the constant drip, drip of musings from within the Prison Service of his two killers. Can Ministers ask the Prison Service to get a grip on those pronouncements and the ability to make them, and if they are to be made, might the family be informed first?

Rory Stewart: Absolutely. That is disgusting and disturbing behaviour, and I will be talking directly to the governor of the prisons concerned.

Helen Whately (Faversham and Mid Kent) (Con): “This prison gives you the chance to reassess and rebuild your life.” Those are the words of one of the women at
East Sutton Park Prison in my constituency. I thank the Under-Secretary of State for Justice, my hon. Friend the Member for Brucknell (Dr Lee), who is responsible for female offenders, for his recent visit to the prison. Will he do all that he can to secure the future of that prison, so that it can continue its good work in preparing female offenders for life after prison?

Dr Phillip Lee: Yes, I was very impressed by East Sutton Park. I have now visited virtually every women’s prison in the country, and the response from the women themselves is what I took away from that visit. They had a hope for the future that I had not encountered very much elsewhere. I will be doing my best to go into bat for East Sutton Park.

Gavin Newlands (Paisley and Renfrewshire North) (SNP): Given that the Lord Chancellor has said that the timetable for the review of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 is likely to slip, and the fact that, in giving evidence to the Justice Committee, the Law Society and the Criminal Law Solicitors Association praised as refreshing the whole independent review of Scottish legal aid, is this an opportunity to pause and commission an independent review in England and Wales?

Lucy Frazer: The hon. Gentleman refers to the report on Scottish legal aid. I have looked at the review, which makes some recommendations that my officials will be looking at to improve our legal aid system. It is very interesting to see in the report a number of measures that we are taking—for example, in relation to video links and the online court, which I have already mentioned.

Simon Hoare (North Dorset) (Con): The safety of prison officers in prisons is absolutely pivotal, as my hon. Friend the Minister recognises. May I urge him to give serious consideration to prison officers carrying pepper spray?

Rory Stewart: We are in fact already piloting the use of pepper spray. With the correct training—it needs to be used with the correct training—it can be an important part of reducing violence, and we are working on the lessons of those pilots.

Mike Kane (Wythenshawe and Sale East) (Lab): My constituent Caitriona McLaughlin, who is a solicitor, was recently paid £255 for seven months’ work on a criminal legal aid case. Does the Minister think that this was enough?

Lucy Frazer: It is obviously very difficult to comment on a particular rate in a particular case for a particular individual, but I am very happy to talk to the hon. Gentleman about it. It is very important that criminal legal aid barristers and solicitors are paid appropriately for the amazing work that they do every day, up and down this country, in protecting the most vulnerable.

Several hon. Members rose—

Mr Speaker: If the Chair of the Select Committee can match his legendary distinction with brevity, he will be an even greater man. I call Bob Neill.

Robert Neill (Bromley and Chislehurst) (Con): Will the Secretary of State confirm that the single departmental plan means that greater priority will be given to developing robust non-custodial sentences to divert those whom it is not necessary to send to prison in the first place?

Mr Gauke: Yes.

Mrs Emma Lewell-Buck (South Shields) (Lab): Will the Secretary of State clarify whether, under the Department’s vision for secure schools, Ministers will close existing penal facilities, or is this yet another way of incarcerating our children?

Dr Phillip Lee: There is no intention, in the longer term, to increase the number of young people we lock up. Indeed, our intention is to reduce the number of young people we lock up, and that is why we are changing the environment with the introduction of secure schools.

Andrew Selous (South West Bedfordshire) (Con): While we regularly praise the likes of Greggs, Timpson and Halfords for the great work they do in employing ex-offenders, do Ministers agree that the time has now come no longer to allow employers that have made a blanket refusal to employ any ex-offenders to carry on such an approach in secret?

Mr Gauke: My hon. Friend raises a very good point. As I have said before, I think there has been a shift in public mood, and employers should explain themselves if they take such an approach, which I do not think is good for them or for society.

Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): When I was a councillor, I visited Porterfield Prison many times and learned many things, including how to start a Mercedes without the ignition key. Will the Minister tell us how the splendid new parliamentary scheme will have an impact on the lives of our prisoners, and on their hopes, needs and aspirations?

Rory Stewart: The key target for the parliamentary scheme is of course Members of Parliament, but the idea is to make the public aware through them of what is happening in prisons. Nothing drives change more in an institution than opening it up to public scrutiny, and I hope that that—in addition to learning how to start a Mercedes without the key—will be one of the great benefits of the new scheme.

Mr Philip Hollobone (Kettering) (Con): The EU prisoner transfer directive was meant to enable us to transfer thousands of EU prisoners in UK prisons to a prison in their own country. How many EU prisoners have we actually transferred?

Mr Gauke: If memory serves, it is something like 41,000 over the past 10 years, but I will write to my hon. Friend to confirm the numbers.

Alex Norris (Nottingham North) (Lab/Co-op): Earlier this year, HMP Nottingham was issued with an urgent notification as it is fundamentally unsafe. Will Ministers tell me how many assaults on staff there have been at the prison since this notification was triggered?
Rory Stewart: The urgent notification process was triggered at the beginning of this year, and the report has just been published. I do not have the exact figures for the number of assaults on staff over the past four months, but I am very happy to write to the hon. Gentleman with those figures.

Mohammad Yasin (Bedford) (Lab): The Government have had years to address the safety problems at Bedford Prison following the riot in 2016, but the prison is already back in special measures. When will the Government get a grip on the prison and publish an action plan, so that staff do not have to go to work in fear of their lives?

Rory Stewart: This question and the questions about Nottingham and Exeter reveal a fundamental challenge across the system in terms of assaults on prison officers. The solution has to be to have the right numbers of officers to restore the predictability of the regime, so that prisoners calm down; to have body-worn cameras and CCTV in place; and to make sure that in Bedford and all the other challenged, violent local prisons we bring these measures into place.

Stuart C. McDonald (Cumbernauld, Kilsyth and Kirkintilloch East) (SNP): What are the Government doing to reduce the ridiculous one-year wait for immigration tribunal appeal hearings?

Lucy Frazer: I challenge the hon. Gentleman on his figures. I am happy to give him the correct figures, but the Government are doing a lot to reduce waiting times for every type of tribunal, by increasing the number of members of the judiciary and bringing in a number of measures to make tribunals work much more effectively together.

Bambos Charalambous (Enfield, Southgate) (Lab): One of my constituents has a brother who has been missing for more than a year. She would like to step in to manage his affairs and protect his property and finances, but she cannot: although the Guardianship (Missing Persons) Act 2017 received Royal Assent on 27 April 2017, it has yet to come into force because the rules of court have not been published. When will the Minister publish the rules of court to allow the Act to take effect, so that my constituent can deal with her missing brother’s affairs?

Mr Speaker: I call the Minister—a Minister.

Dr Lee rose—

Mr Speaker: I call Dr Lee.

Dr Lee: If this is my responsibility, the hon. Gentleman can by all means write to me about the details of his case.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op) rose—

Chris Bryant (Rhondda) (Lab) rose—

Mr Speaker: Age first: I call Barry Sheerman.

Mr Sheerman: Is the ministerial team aware of the growing concern in some women’s prisons about the placement of transgender people in those prisons? What is the Minister going to do about it?

Dr Lee: I am fully aware, and I recognise that I have a significant responsibility for the majority of the women in those prisons, so that they are safe and secure. This is a difficult issue to manage, but I am persuaded that robust guidelines are in place, so that nothing untoward would happen.

Chris Bryant: Will the Secretary of State also look at the issue of acquired brain injury in the youth justice system? One of the most interesting pieces of work being done at the moment shows that we can divert some of the most difficult, troubled children if we bring together psychologists, psychiatrists and prison and probation officers—all the different teams—to transform individual lives.

Mr Gauke: I am grateful to the hon. Gentleman for raising that point, which we will look at very closely. I take this opportunity to say, in answer to my hon. Friend the Member for Kettering (Mr Hollobone), that 41,000 foreign national offenders have indeed been deported since 2010.

Mr Speaker: It is a pity that the hon. Member for Kettering is not here, but I am sure that he will get to hear of it very soon. We are extremely grateful to the Secretary of State.
Airports National Policy Statement

12.38 pm

The Secretary of State for Transport (Chris Grayling): With permission, Mr Speaker, I would like to make a statement about the proposed expansion of Heathrow airport.

The Government have a clear vision: to build a Britain fit for the future and a Britain with a prosperous jobs market and an economy that works for everyone. That is why I come to the House to mark an historic moment. Today I am laying before Parliament our final proposal for an airports national policy statement, which signals our commitment to securing global connectivity, creating tens of thousands of local jobs and apprenticeships, and boosting our economy for future generations by expanding Heathrow airport. It is an example of how the Government are taking forward their industrial strategy.

As you know, Mr Speaker, taking such a decision is never easy. This issue has been debated for half a century. My Department has met local residents and fully understands their strength of feeling. But this is a decision taken in the national interest, based on detailed evidence. In 2015, the independent Airports Commission concluded that a new north-west runway at Heathrow was the best scheme to deliver additional capacity, and in October 2016 we agreed. We ran two national consultations during 2017 and received more than 80,000 responses. All the points raised have been carefully considered, and today we are publishing the Government’s response.

To ensure fairness and transparency we appointed an independent consultation adviser, the former Court of Appeal judge, Sir Jeremy Sullivan. Our draft NPS was scrutinised by the Transport Committee, and I thank the Chair of the Committee and her team for the thoroughness of their work. I was pleased that they, like me and my colleagues in the Government, accepted the case for expansion and concluded that we are right to pursue development through an additional runway at Heathrow. We welcome and have acted on 24 out of 25 of its recommendations. Our response to the Committee is also being published today.

This country has one of the largest aviation sectors in the world, contributing £22 billion to our GDP, supporting half a million jobs, servicing 285 million passengers and transporting 2.6 million tonnes of freight last year. The time for action is now. Heathrow is already full, and the evidence shows that the remaining London airports will not be far behind. Despite Heathrow being the busiest two-runway airport in the world, its capacity constraints mean that it is falling behind its global competitors, impacting the UK’s economy and global trading opportunities.

Expansion at Heathrow will bring real benefits across the country, including a boost of up to £74 billion to passengers and the wider economy, providing better connections to growing world markets, and increasing flights to more long-haul destinations. Heathrow is a nationally significant freight hub, carrying more freight by value than all other UK airports combined. A third runway would enable it to nearly double its current freight capacity.

In addition—this is crucial—this is a project with benefits that reach far beyond London. We expect up to 15% of slots on a new runway to facilitate domestic connections across the UK, spreading the benefits of expansion to our great nations and regions. As well as new routes, I would expect there to be increased competition on existing routes, giving greater choice to passengers. I say very clearly that regional connectivity is one of the key reasons for the decision we have taken.

I recognise the strong convictions that many Members of this House and their constituents have on this issue, and the impacts on those living in the local area. It is for that reason that we have included strong mitigations in the NPS to limit those impacts. Communities will be supported by up to £2.6 billion towards compensation, noise insulation and improvements to public amenities—10 times bigger than under the 2009 third runway proposal. This package is comparable with some of the most generous in the world and includes £700 million for noise insulation for homes and £40 million to insulate schools and community buildings. The airport has offered 125% of the full market value for homes in the compulsory and voluntary purchase zones, plus stamp duty, moving costs and legal fees, as well as a legally binding noise envelope and more predictable periods of respite.

For the first time ever, we expect and intend to deliver a six-and-a-half-hour ban on scheduled night flights. But my ambitions do not stop there. If the House agrees and the NPS is designated and the scheme progresses, I will encourage Heathrow and airlines to work with local communities to propose longer periods of respite during a further consultation on night flight restrictions. We will grant development consent only if we are satisfied that a new runway would not impact the UK’s compliance with air quality obligations. Advances in technology also mean that new planes are cleaner, greener and quieter than the ones they are replacing.

Earlier this year a community engagement board was established, and we appointed Rachel Cerfontyne as its independent chair. It will focus on building relations between Heathrow and its communities, considering the design of the community compensation fund, which could be worth up to £50 million a year, and holding the airport to account when it comes to delivering on its commitments today and into the future.

There has been much debate about the costs of this scheme. Our position could not be clearer: expansion will be privately financed. Crucially, expansion must also remain affordable to consumers. We took a firm step when I asked the industry regulator, the Civil Aviation Authority, to ensure the scheme remains affordable while meeting the needs of current and future passengers. This process has already borne fruit, with the identification of potential savings of up to £2.5 billion. I am confident that that process can and should continue, that further cost savings can be identified and that the design of the expansion can continue to evolve to better reflect the needs of consumers. That is why I have recommissioned the Civil Aviation Authority to continue to work with industry to deliver the ambition that I set out in 2016 to keep landing charges at or close to current levels. That work will include gateway reviews, independent scrutiny and benchmarking of proposals, which I know are of paramount importance to British Airways, Virgin Atlantic and the wider airline community.
I want to talk now about scheme delivery and ownership. The north-west runway scheme put forward by Heathrow was selected by the Government following a rigorous process. Since then, Heathrow has continued to make strong progress, having already consulted on its scheme design and airspace principles earlier this year. Some stakeholders have suggested that we should now look again at who delivers expansion. While I, and we, will always retain an open mind, my current assessment is that caution is needed at this stage. Heathrow is an operational airport under a single management, and I am clear that it is currently the only credible promoter that could deliver this transformational scheme in its entirety.

I welcome the Civil Aviation Authority’s April consultation, which expects Heathrow to engage in good faith with third parties to ensure that expansion is delivered in a way that benefits the consumer. However, that needs to be balanced against the need for timely delivery, and that is why my Department will be working closely with Heathrow to enable delivery of the new runway by its current target date of 2026.

Heathrow is already Britain’s best-connected airport by road and rail. That will be further strengthened by future improvements to the Piccadilly line, new links to Heathrow through Crossrail, connections to High Speed 2 via an interchange at Old Oak Common and plans for western and southern rail access to the airport. On 24 April, I met the industry and financial backers who can potentially come forward with plans to deliver the new southern rail access to the airport.

Even with today’s announcement, a new operational runway at Heathrow is still a number of years away. The Airports Commission recommended that there would also be a need for other airports to make more intensive use of their existing infrastructure, and we consulted on that in the aviation strategy call for evidence last year.

Apart from Heathrow, I would also like to confirm today that the Government support other airports making best use of their existing runways. However, we recognise that the development of airports can have negative as well as positive local impacts, including on noise levels. We therefore consider that any proposals should be judged on their individual merits by the appropriate planning authority, taking careful account of all relevant considerations, and particularly economic and environmental impacts.

Furthermore, in April we set out our next steps, which will see us work closely with industry, business, consumer and environmental groups to develop an aviation strategy that sets out the long-term policy direction for aviation to 2050 and beyond, while addressing the changing needs and expectations of passengers. It will set out a framework for future sustainable growth across the United Kingdom, how we plan to manage our congested airspace, and how we plan to use innovative technology to deliver cleaner, quieter and quicker journeys for the benefit of passengers and communities. Airspace modernisation has to be taken forward irrespective of the decision on the proposed new runway, and to do so we expect multiple airports across the south of England to bring forward consultations on their proposals on how to manage the airspace around their locations.

Returning to Heathrow, the planning system involves two separate processes: one to set the policy—effectively outline planning consent—which is our national policy statement, and then, if the House votes in favour of it and it is then designated, a second process for securing the detailed development consent that the airport will require. The next steps would therefore be for Heathrow to develop its plans, including details of the scheme design and airspace change, and hold a further consultation to allow the public a further say on the next phase of Heathrow’s plans and additional opportunities to have their voices heard. Any application for development consent will of course be considered carefully and with an open mind, based on the evidence provided. The process includes a public examination by the independent Planning Inspectorate before a final decision is made.

Alongside the NPS today, I have published a comprehensive package of materials that I hope and believe will enable Members of the House to make an informed decision ahead of the vote. It is very comprehensive, and I hope that it will provide answers to the questions that Members will have.

I hope that Members will feel that the scheme is crucial to our national interest and that we need to work together to deliver it in order to create what I believe is an absolutely vital legacy for the future of this country. I hope that Members across the House will get behind the plan and support this nationally strategically important project, and I commend this statement to the House.

12.49 pm

Andy McDonald (Middlesbrough) (Lab): I thank the Secretary of State for advance notice of his statement.

Today’s statement has been a long time coming. We have had 11 years of consultation and nine years since the expansion was given the green light. The Secretary of State came to the House yesterday to explain the calamitous implementation of new rail timetables. He now stands at the Dispatch Box today and expects the House to accept what he says about the most significant of infrastructure projects. I am sorry, but this Secretary of State has form. The only reason he is at the Dispatch Box is that the Prime Minister is too weak to sack him. I regret that he simply does not enjoy the confidence of the House. [Interruption.] Government Members complain, but I did not hear them shouting their support for him yesterday. In fact, the loudest criticisms came from Members on their Benches.

Labour will consider proposed expansion through the framework of our well-established four tests: expansion should happen only if it can effectively deliver on the capacity demands; if noise and air quality issues are fully addressed; if the UK’s climate change obligations are met in their entirety; and if growth across the country is supported. We owe it to future generations to get all those factors absolutely right. If the correct balance is not found, the law courts will quite rightly intervene.

I commend the superb work of the Chair and members of the cross-party Transport Committee. Their report into the airports national policy statement published in March left no stone unturned. Their support for approving the NPS is explicitly conditional upon 25 recommendations being addressed. The Secretary of State says that he has “acted on” 24 of the 25 recommendations. What does
that mean? Are they going to be conditions or simply aspirations and expectations? For example, the Committee concluded that there was a high risk of the NPS breaching air quality compliance. Furthermore, the Department for Transport has not published a comprehensive surface access assessment, so it is impossible to demonstrate that the target of no more airport-related traffic can be met. His statement today takes that issue no further forward.

The Committee highlighted that there was almost no mention of potential cost and investment risk. What guarantees can the Government provide that the high-cost risks will not end up being covered by the public purse? How can the business case for expansion ensure that passenger benefits are met? The Secretary of State says he will keep charges close to current levels. What sort of assurance is that? Further uncertainties remain about the NPS as originally drawn, on noise analysis and flightpath modelling. It remains to be seen whether the revised NPS adequately addresses those and other issues.

The Secretary of State says that he will encourage Heathrow to work with communities on longer respite periods. What teeth are there in any of these proposals or promises? His claims about the benefits of new technologies have to be based on real evidence and not some fanciful expectation of future advances. Some of us have not forgotten his empty promises on dual fuel trains, which we are now told do not exist. He says he intends and expects 15% of slots to be for domestic connections. How will that be secured? Intentions, expectations and encouragements are simply not enough.

It is imperative that the Government provide guarantees to the House that the recommendations and conditions established by the Transport Committee will be embedded in the revised NPS. Yesterday reminded Members across the House that the assurances of this Secretary of State are anything but cast-iron. It is absolutely essential that the Government embed the Select Committee's recommendations in their revision of it. I remind the House that the Committee says very clearly that the planning process should move to the next stage only if the target of no more airport-related traffic can be met; it has to happen.

The shadow Secretary of State made a point about night flights. That has to be and will be a planning condition. He also asked about the Select Committee's recommendations. About half have been embedded in the NPS; the remaining half will either happen at the development consent order stage or are requirements for the CAA to follow up on and deliver. We have accepted the recommendations, however, and will follow faithfully the Select Committee's wishes to make sure that its recommendations are properly addressed at each stage of the process. As I said earlier, this is a multi-stage process, and the Committee's recommendations referred not just to the NPS but to the subsequent stages.

The shadow Secretary of State asked about landing charges, which, of course are regulated by the CAA. I have been clear that landing charges have to stay pretty much at current levels in real terms. This cannot be an excuse for the airport to hike its landing charges substantially. That would not work for consumers or our economy. Equally, the commitments on night flights have to be addressed. This project will not have credibility if such promises to the local community are not properly fulfilled.

The shadow Secretary of State asked about investability. We have had the investability and delivery date independently assured. I have also talked to Heathrow shareholders, who have emphasised to me their commitment to this project. I am absolutely of the view that the project can and will be delivered. We simply have to look at the price at which slots for Heathrow airport sell on the open market to realise that this is one of the world's premier airports and enormously attractive to international airlines and that expanding its route network will deliver jobs all around the country.

That is the most important thing for everyone in the House to bear in mind, whether they are in Scotland, the north of England, the south-west, Wales or Northern Ireland, and we should not forget our Crown dependencies and Gibraltar either. They also depend on air links to the UK. This project is a way of making sure that our citizens—the people we represent—and the businesses they work in have access to the strategic routes of the future that they will need. If we are to be a successful nation in the post-Brexit world, we will need advances such as this one that can make a real difference to the future of this country.

I am disappointed, therefore, that the Labour party has not said that it supports expansion in principle. I do support it, as do Members in all parts of the House,
and in the coming days we will have a vote—we have 21 sitting days before the deadline for that vote. In the time ahead, I and my officials will happily talk to parliamentary colleagues about the details and, I hope, reassure anyone with doubts that this is the right project for the country.

Sir Patrick McLoughlin (Derbyshire Dales) (Con): I welcome my right hon. Friend’s announcement—the report that the coalition Government asked Howard Davies to produce was very comprehensive, and he has acted on it—but will he say a little more about how he will ensure that the costs are properly controlled? He is absolutely right to say that at the end of the day Heathrow has the great development opportunity that it wanted, but that development must involve reasonable costs that do not impose ever growing pressures on both operators and passengers.

Chris Grayling: My right hon. Friend has made a crucial point. That is, obviously, a matter of great importance to the airlines. They do not want fares to rise, and nor do we. This should be a development that leads to more choice for passengers, as well as more competition and, as a result, lower fares. One of the benefits of expanding the network will be for the United Kingdom, because we need more operators within the UK, and we may be able to achieve better competition on routes into Heathrow.

I have statutory powers, which I have already used on two occasions, to enable the Civil Aviation Authority to monitor the costs of the project to ensure that they are driven down. I renewed those powers recently, and I will continue to do so whenever necessary.

Alan Brown (Kilmarnock and Loudoun) (SNP): I thank the Secretary of State for giving me early sight of his statement.

This has been another polarising issue, and aspects of the UK Government’s approach in the past and the delaying tactics have not helped matters. However, I welcome the progress that is being made, and the fact that a vote appears to be imminent. The option of Heathrow expansion was recommended by the Airports Commission. It was also backed by the Transport Committee, as we have heard, and I pay tribute to its work in scrutinising the national policy statement.

To be fair, Heathrow has engaged fully with the Scottish Government, and has signed a memorandum of understanding in relation to commitments to Scotland. It refers to a construction logistics hub, and, for selfish constituency reasons, I should like that to be based at Prestwick airport. There is also a commitment to a £10 million route development fund, and a commitment to promoting Scotland in the future. I must be honest: for me, supporting expansion at Heathrow from a Scottish perspective was initially counter-intuitive. However, all but one of the Scottish airport operators support it. So do the various Scottish chambers of commerce, because they recognise the business benefits that it can bring to Scotland, including up to 16,000 new jobs. That helped to sway me, and the Scottish Government have reiterated their support.

Let me ask the Secretary of State some questions about his statement. He spoke of benefits for nations and regions, and an expected “15% of slots on a new runway to facilitate domestic connections across the UK”.

However, he has still not explained how he will ensure that that happens. Will conditions be imposed, and will he consider Scotland’s needs? How will he ensure that what is proposed for Heathrow will increase passenger numbers at Scottish airports? He said that he had recommissioned the CAA to work with the industry to keep charges close to their current levels, but he did not make it clear how there could be certainty that future charges would be kept under control. What will happen if Heathrow cannot commit itself to the longer period that the Secretary of State has just thrown into the mix, and what will he do to ensure that there is more transparency on new flight paths? Finally, given the UK Government’s failures to date and their defeats in court in relation to air quality, what will be done to ensure that air quality impact assessments are robust and that the correct control measures are introduced?

Chris Grayling: I am grateful to the hon. Gentleman, the Scottish Government and the Scottish National party for their support. I think it important for us to ensure that Scotland is well served by the expansion of Heathrow. I think the hon. Gentleman understands, given the support that has come from the Scottish regional airports and the Scottish business community, that by providing more strategic routes for the United Kingdom from Heathrow we will provide links to important new developing markets around the world.

The hon. Gentleman asked about the protection of slots. We are considering what is the best mechanism. It seems that the public service obligation mechanism may be the best, but I want the most robust legal mechanism to operate by the time we reach the development consent order process, in order to protect the allocation of slots to regional connections in the United Kingdom. I do not want, and will not accept, circumstances in which slots somehow disappear and are allocated to a long-haul route rather than a UK route. This must be a project that benefits the whole United Kingdom. As for passenger numbers, our forecasts show that virtually all regional airports will continue to grow, and I expect the hon. Gentleman to see growth at Scottish airports as well as on routes to and from Heathrow.

The hon. Gentleman asked about the setting of charges. The CAA sets the charges, and it has absolute regulatory power to set them at the level that is appropriate for the airport. It has the teeth to deliver that at the moment. He asked about the respite issue. Let me make it clear that the night flight ban is an absolute requirement. We would reconsider that only if both the airport and the local communities agreed that something different should be done. The local communities would have to come back to us, with representatives of the airport, and say, “We would like to do something slightly different.” From the Government’s point of view, the ban is a non-negotiable element.

As for the hon. Gentleman’s final question, given that there are opponents of the scheme, I think it highly likely that it will be challenged in the courts. We have done exhaustive work, and there is a huge amount of
material for the House to consider. We are following a statutory process, and only if there is a supportive vote in the House of Commons can the project go ahead. I hope that is enough to set the project on the right path.

**Justine Greening (Putney) (Con):** This decision is not only wrong for the UK and its competitiveness; it is wrong for the London communities who will be blighted by the pollution from an expanded Heathrow. The Secretary of State says that the runway cannot be opened unless air quality conditions are met. The document “Heathrow Airport Ltd: statement of principles” contains a cost recovery clause for Heathrow in case the project does not proceed following this decision. Can the Secretary of State confirm that taxpayers might have to pick up a bill for billions of pounds?

**Chris Grayling:** The project cannot pass the development consent order stage unless the airport can demonstrate that it will follow air quality guidelines. We have been very clear about that, which is why Heathrow is consulting on a potential low-emission zone. The whole point about air quality, however, is that it is a broader problem, for London and other cities, which will need to be dealt with well before 2026. That is why the Government has issued air quality proposals, and that is why we are determined to see changes in society that tackle the air quality issue.

**Lilian Greenwood (Nottingham South) (Lab):** I welcome the statement, and the Secretary of State’s acceptance of the points made by the Transport Committee. We look forward to examining the detail in the final national policy statement. We said that an expanded Heathrow must deliver for the whole of the UK, not just the south-east of England. Can the Secretary of State explain how public service obligations can guarantee that a new runway will result in more domestic routes which will be distributed fairly across the regions and nations of the UK, and can he tell us how this proposal fits in with his Department’s plans for high-speed rail connectivity between cities in the midlands and the north?

**Chris Grayling:** Let me deal with the last point first. I think that we will need both. Creating a rapid link between our great cities is a necessary part of doing business domestically, and that will mean connectivity to airports as well. However, I think that the real benefit of expanding the runway is the linkage that results from the ability to fly, for example, from Edinburgh to Heathrow to Shanghai if a direct flight is not available. The local market will simply not be big enough for a regional airport to deliver the direct route.

As for the public service obligation process, we will introduce the strongest measures to ring-fence those slots. We will ensure that they cannot simply be taken away, and that should mean that they must be provided at a cost that is affordable for UK domestic aviation. If routes that are strategically necessary for the United Kingdom require PSO support financially, I have no doubt that this Government, and future Governments, will wish to ensure that those routes are provided for as well. We already apply that to some key routes.

**Damian Green (Ashford) (Con):** I congratulate my right hon. Friend on pushing through a decision that probably should have been made 10 years ago. Does he agree that to gain both the economic and full environmental benefits of this decision a significant increase will be required in the rail links into Heathrow—not just the ones already planned, but some that are still some way off? Will he also expand on what he said in his statement about the new rail lines planned from different parts of the country so that people have proper public transport access to what will be a hugely expanding airport?

**Chris Grayling:** I absolutely agree with my right hon. Friend and thank him for his supportive comments. On the mix of rail services that will service this new runway, if Parliament gives it the go-ahead, in the short term there will be the arrival of Crossrail services and the upgrade of the Piccadilly line. The HS2 station at Old Oak Common will also open. In the investment plans for control period 6, we have planned funding to develop a western rail access into Heathrow for connections to Reading and the west country. We are in the process of discussing with private sector investors proposals for the southern rail access which will connect the south-western rail networks into Heathrow airport. In addition, we are beginning work on an option that is very relevant to you, Mr Speaker, which would take the Chiltern line into Old Oak Common—there is already a line that connects into Chiltern—and as we see more development on the Oxford-Cambridge corridor, that will provide an additional route into Heathrow from that important growth area. I think this is a pretty holistic package of planned rail improvements.

**Sir Vince Cable (Twickenham) (LD):** How does the Secretary of State reconcile his claims about regional connectivity with the fact that Heathrow expansion is opposed by all the largest regional airports—Edinburgh, Manchester, Birmingham, East Midlands and Bristol—as well as those in the south-east, Stansted and Gatwick? Since these communities are represented by Members from different parties, does he agree that it would be appropriate to have a free vote on the NPS when it is put before Parliament?

**Chris Grayling:** It is clearly up to every individual party to decide how they will approach this vote, but my experience is not what the right hon. Gentleman has just communicated to me: my experience is that around the United Kingdom there is huge support from regional airports and, crucially, regional business groups for the expansion of Heathrow airport. We have looked at the projections, and they show growth at almost all of our regional airports, and I do not have the sense of opposition from the regional airports that the right hon. Gentleman is describing.

**Sir Roger Gale (North Thanet) (Con):** I welcome my right hon. Friend’s statement, but, without wishing to compromise him in any decisions he may have to take in the future, I cannot help noticing that he has indicated very clearly that it will take some years for there to be wheels on tarmac and a new runway at Heathrow. In the interim, we have to make the best use of existing runway capacity, and, in that context, and post Brexit, I hope the Government will look favourably on maximising the use of available existing runways in Kent.
Chris Grayling: I am well aware of my hon. Friend’s interest in these issues and look forward with interest to seeing any proposals that come forward.

Ruth Cadbury (Brentford and Isleworth) (Lab): How can the Secretary of State say that the cost of expansion will not fall on either taxpayers or airline passengers when the airport and airlines are not prepared to fund the essential transport infrastructure around Heathrow that is needed to address the air quality and appalling traffic congestion we already have, and when the Transport Committee report in March found that the environmental impacts on London and the south-east have not been fully monetised and need to be addressed?

Chris Grayling: As the hon. Lady will find when she reads the updated NPS document, that latter point is one of several recommendations from the Committee that we have addressed, and we have added additional information to the NPS.

On the hon. Lady’s comments about access to the airport, I have just given a firm commitment that we should deliver a package as broad as that to support this. One Select Committee recommendation was to strengthen the wording about western and southern rail access, and that has happened; we are very committed to both of those. This is a broad-ranging package that will transform surface access to Heathrow.

Andrew Jones (Harrogate and Knaresborough) (Con): I welcome my right hon. Friend’s statement. Does he agree that as Heathrow is the UK’s hub airport and this expansion will bring forward new routes, improved connectivity to Heathrow will bring important benefits to the people and economy of Yorkshire and other parts of the northern powerhouse?

Chris Grayling: I completely agree with my hon. Friend. One of the disappointments recently has been a reduction in the number of flights from Leeds Bradford airport to Heathrow. Creating more capacity at Heathrow will create greater competition and allow new entrants to regional markets, and will allow some of the routes that have not been there in recent years to reappear.

Caroline Lucas (Brighton, Pavilion) (Green): It beggars belief that the words “climate change” did not pass the Secretary of State’s lips once during the statement. In his Department’s most recent aviation forecast there is no scenario in which expansion at Heathrow is compatible with meeting the Government’s own commitments under the Climate Change Act 2008 to limit air passenger growth to 60% by 2050. And those same projections imply that if this runway is approved aviation will take up half of the UK’s entire carbon budget by 2050, which is absurd. Given that the Committee on Climate Change has said “Don’t use international offsetting,” can the Secretary of State explain how on earth this proposal is compatible with our climate change objectives?

Chris Grayling: As the hon. Lady will know, the Airports Commission looked at this issue very carefully and formed the view that we could meet our climate change objectives and expand Heathrow. Of course in the aviation sector there is a transformation of the technology that means aircraft are much more fuel-efficient and therefore emit less, so technology is helping us move towards achieving the right approach.

Mr Dominic Grieve (Beaconsfield) (Con): I welcome my right hon. Friend’s statement, and many in my constituency will benefit economically and directly from this expansion and are supportive of it. Does my right hon. Friend recognise, however, that the issues around air quality, and indeed pollution generally, are not just confined to aircraft movements, but are also affected by the entire traffic management in the area around Heathrow? He will be aware that parts of my constituency, particularly Iver, are seriously blighted by the existence of Heathrow as it is at present, and if this development is to go ahead there will have to be the necessary infrastructure investment to alleviate that.

Chris Grayling: I absolutely agree with my right hon. and learned Friend. He will be aware that we have had a number of toings and froings over the months about whether it will be necessary to build a depot at Langley; that has now been resolved and that depot is not now happening, which will simplify the process of delivering western rail access, and I hope will ease many of the pressures. One of the factors that will have an impact in my right hon. and learned Friend’s constituency and the large number of people who travel to work at Heathrow is that western rail access will not only deliver better connectivity to the west country but will make it easier for staff to get the train to work.

Dr Rupa Huq (Ealing Central and Acton) (Lab): It may be long overdue but this is the wrong decision, and it flies in the face of what the current Prime Minister has previously said, not to mention the last one with his “No ifs, no buts,” no third runway comment. So does this U-turn, like the abandoning of the feed-in tariff and like the embrace of Hinkley Point, show that this Government’s green dalliance and “hug a husky” phase is now well and truly over?

Chris Grayling: I gently say to the hon. Lady that I absolutely agree with my right hon. and learned Friend. He will be aware that the issues around air quality, and indeed pollution generally, are not just confined to aircraft movements, and formed the view that we could meet our climate change objectives and expand Heathrow. Of course in the aviation sector there is a transformation of the technology that means aircraft are much more fuel-efficient and therefore emit less, so technology is helping us move towards achieving the right approach.

Sir Hugo Swire (East Devon) (Con): Having discussed this for almost a decade, it will be almost another decade before the first plane takes off from the new runway, so when the Secretary of State said that the time for action is now it was hardly an overstatement. He is right to claim that this will benefit regional airports such as Exeter in my constituency, Newquay, Bristol and others. I suggest, however, that rather than getting local authorities to come up with expansion plans, this should be the responsibility of the Government if they want a fully integrated aviation system. Also, while Heathrow and Gatwick will see certainly more regional flights using them as a hub, that will again raise the issue of air passenger duty, and I urge the Secretary
of State to talk to the Chancellor of the Exchequer soon about taking this opportunity to revamp the whole APD issue.

Chris Grayling: I have no doubt that the Chancellor will have heard what my right hon. Friend has said about APD, and I am sure he will not be alone in making that point in the run-up to the next Budget.

On the planning process, we think it is better that decisions on smaller expansion projects—typically under 10 million passenger expansions—are taken locally in full light of the impacts on local communities, both positive in terms of the economic generation but also other impacts on communities around them. Where a project is bigger than that, we think we should continue to use the NPS process; we think that provides the right balance, ensuring that local decisions are taken about projects of an appropriate size, but that if a future project is on a much more substantial scale this House continues to play the part it does today.

Mrs Louise Ellman (Liverpool, Riverside) (Lab/Co-op): I welcome this statement, and I support expansion at Heathrow; it is absolutely essential for the national interest and for international connectivity. This plan is supported by Liverpool’s John Lennon airport. How can the Secretary of State guarantee that the promised link between the expanded Heathrow airport and Liverpool will materialise?

Chris Grayling: First, I thank the hon. Lady for her clear statement of support. She has a distinguished record in this area. She and I served on the Transport Committee when we were first elected. She is a very experienced person in the transport world, and I am grateful to her for her support and for sharing my view of the strategic importance of this decision. On protecting the right of access, Heathrow has made a number of specific commitments. Ultimately, this will require airlines to be able and willing to fly those routes, but my view is that the opening up of Heathrow to new carriers—some of the low-cost carriers that have done well elsewhere and that dominate the other airports—will ensure that those routes happen. I will have to ensure that the slots are there for those carriers to fly to and that, in places where there is a social need but not an economic one, we continue to provide support through the public service obligation system.

Zac Goldsmith (Richmond Park) (Con): The Secretary of State has already emphasised the preparedness of Heathrow, but the truth is that we do not know how the third runway can be reconciled with air pollution limits or with our climate change targets, as has already been mentioned. We do not know how many communities will be brought under the new flight paths and how many hundreds of thousands of people will be affected by that. We do not know how many tens of billions of pounds of public money will be needed to facilitate access to and from Heathrow, and we do not even know how Heathrow will finance this project. What we do know, following a dramatic revision by the Government of the benefits to the economy and to connectivity, is that Heathrow is now on a par with Gatwick. Can my right hon. Friend understand why, for so many people, this looks not only like a blank cheque being given by this Government to a foreign-owned multinational but like a whole book of cheques signed by our constituents?

Mr Kevan Jones (North Durham) (Lab): I welcome today’s statement and support expansion at Heathrow. Newcastle international airport is vital for the north-east economy, and the Secretary of State has already mentioned the support in the regions for Heathrow expansion because of increased connectivity from airports such as Newcastle. May I kindly suggest that, before the vote, he publishes the exact details of how those slots can be maintained, because a lot of that regional support is conditional on getting those additional slots?

Chris Grayling: I am happy to provide any further information that hon. Members require, and I am grateful to the hon. Gentleman for his support today. As he will remember, when we first announced our provisional decision last year, I made my first visit to Newcastle airport. It is a very good airport, and the leadership there told me how this project would help them to develop their business and help the economy of the north-east. I will certainly look to provide extra information, but I would say that some of the detail will become clear further along the process. At the moment, the advice I have is that we are probably best to use the public service obligation requirements to guarantee that those slots are available. Of course, the airlines will have to be willing to fly them, but as I said a moment ago, in a more competitive market in which new entrants are able to compete—as they do all around the United Kingdom but not at Heathrow—we will see routes appear that should have been there a long time ago. They are not there now, but they will be in the future.

Sir Paul Beresford (Mole Valley) (Con): I congratulate my right hon. Friend and completely support this decision, which has been a very long time coming. There will be efforts to try to delay the process, and he has mentioned the possibility of judicial reviews. What assurance can he give that he and the Government will be absolutely behind this project, to overcome the hurdles and ensure that we meet the programme? The European airports are not going to wait, and we do not want to lose the opportunity that this will give us.

Chris Grayling: We have taken careful legal advice as we have been through this exhaustive process, and I want to pay tribute to my team at the Department for Transport for doing a fantastic job of assembling a vast amount of material for the House to study before the vote and to demonstrate the case that we are making.
today. If we are challenged in the courts, it is essential that we can demonstrate that we can make our case, but this is a matter for our elected Parliament. This House will decide whether I should designate the national policy statement, and I very much hope that that will carry weight as we go through the rest of the process.

Chi Onwurah (Newcastle upon Tyne Central) (Lab): Such a significant expansion in aviation capacity raises major environmental and ethical concerns, but given the recommendations of the Transport Committee, I believe that this is the right option, provided that it delivers for regional economic growth. Businesses and residents in Newcastle deserve just as much access to direct flights as those in the south, but given that network economics make that impossible, what additional capacity will the Secretary of State guarantee for Newcastle airport and for how long, regardless of how he makes that work?

Chris Grayling: The important thing to say is that the reservation of slots for our regional airports is not a time-limited thing; it is a permanent feature. We would not countenance putting in place a legal mechanism that could be eroded away over time. That is what has happened in recent times: regional connections to Heathrow have diminished in number, and regional routes have been replaced by long-haul routes, but I can give an absolutely categorical assurance to the House that the legal mechanism that will be put in place will prevent that from happening again.

George Freeman (Mid Norfolk) (Con): I congratulate Ministers on finally making a tough decision that puts the national interest, prosperity and business confidence ahead of politics—an approach that I hope will apply in our other big decisions. I echo the views of the former Secretaries of State, my right hon. Friends the Members for Derbyshire Dales (Sir Patrick McLoughlin) and for Putney (Justine Greening), on the importance of cost control. Does the Secretary of State agree that the Heathrow hub proposal, which would extend over the M25 and be cheaper, quieter, quicker and less environmentally damaging, has much to commend it, both at Heathrow, where it was rejected by shareholders who perversely will make more money from a more expensive scheme, as well as at other airports around the country? Would he encourage such a proposal for other airports?

Chris Grayling: A lot of innovation went into the Heathrow hub proposal, and we considered it very carefully when we reached our initial recommendation. There were a number of drawbacks to it. For example, it would give much less respite for people around the airport by operating in the way that was proposed. However, I have no doubt that its promoters, who are smart people and who have developed some innovative ideas, will be using those ideas to encourage change in other places around the world and hopefully building an international business for themselves.

Mike Gapes (Ilford South) (Lab/Co-op): At last! After years being wasted under the coalition Government, we now at last have a Government who are taking a grip on this issue. This decision should have been taken years ago. With Crossrail coming, my constituents in east London and people in Essex and Kent will greatly benefit from this decision, and I welcome it. Can the Secretary of State assure me, however, that there will be no further delays because of divisions in his Cabinet?

Chris Grayling: First, I thank the hon. Gentleman for that resounding statement of support. This matter was discussed at the Cabinet this morning. The Airports sub-Committee met earlier this morning and reached its view, and the Cabinet was informed of it. I can tell him that the Cabinet gave almost entirely universal support for it.

Crispin Blunt (Reigate) (Con): I welcome my right hon. Friend’s statement, particularly his outlining of the five new rail lines that would support Heathrow’s expansion, but I contrast that with there being no proposals to support any new rail capacity at Gatwick. It is on the busiest commuter line in the country, and he is only too aware of the problems there today. The Opposition spokesman gave a masterclass in how to avoid making a decision if one is in that political position, but does my right hon. Friend agree that if we are to discharge our duty to future generations, having analysed and consulted on the proposal to death, now is the time to make a decision?

Chris Grayling: Now is definitely the time to take a decision. I agree that transport links to Gatwick need to improve, which is why Gatwick station is one of the projects that we are working on with the airport at the moment, but I am grateful for my hon. Friend’s support.

Phil Wilson (Sedgefield) (Lab): The north-east is a global-facing region, and links to an international hub are critical for its economy. A third runway at Heathrow is a strategic necessity and essential to Durham Tees Valley airport, which is in my constituency, and Newcastle airport. The Secretary of State says that 15% of slots will be for domestic connections, but how can he guarantee that? Will domestic slots be ring-fenced? What are the implications for Durham Tees Valley airport?

Chris Grayling: Durham Tees Valley is one of the airports that Heathrow has identified as a potential beneficiary of the expansion, and I am clear that there will be legally binding mechanisms in place to reserve slots for regional airports. That is part of the core rationale for making this decision, and the project would have much less credibility without it, so I have every intention of ensuring that we deliver those protections for our regions.

Mr Robert Goodwill (Scarborough and Whitby) (Con): Although not before time, this decision is great news not only for UK plc but for regional airports such as Leeds Bradford, which have too long been hampered by a lack of slots into our major hub airports, and for customers who have had to connect at airports such as Schiphol or Charles de Gaulle, which plays into the hands of our competitors. I read in the newspaper that there may be some barriers to the actual construction, so may I offer my services as someone with some experience of driving bulldozers?
Chris Grayling: I will speak to Heathrow airport this afternoon and get someone to send my right hon. Friend a job application. However, whether the project will use some of the heavy equipment that he has at his disposal is a different question.

Seema Malhotra (Feltham and Heston) (Lab/Co-op): Past polling suggests that my constituents are, on balance, in principle in favour of Heathrow’s expansion due to the support that will be provided to small and medium-sized enterprises and the employment that is dependent on Heathrow. However, they are rightly concerned about noise, pollution, respite and night flights—the issues that have been discussed today—and confidence in Heathrow is not high, based on past performance. Flight paths are a significant issue, so will the Secretary of State ensure the publication of any proposals as soon as possible? That information should be available to Members before we vote. Will he also confirm that the criteria on which he will assess southern rail access will consider the regeneration benefits in addition to access from Surrey and from Waterloo?

Chris Grayling: On the last point, my view is that we just need to make the southern rail project happen. That is why we are looking to get the private sector to do it. It is a project that can be delivered by the private sector, and private consortia are interested in doing so. As for flight paths, it is necessary to work off the back of Heathrow’s initial design work to consider the requirements for them. That involves setting out the exact geography of our airports and then mapping what we need around them. That is the process, and a major reorganisation of our airspace will happen in the early 2020s. That would have had to happen anyway, and this proposal will bed into that.

Mary Robinson (Cheadle) (Con): Manchester airport is a key transport hub, handling almost 28 million passengers a year and driving the economic progress of the northern powerhouse. How will my right hon. Friend ensure that the north feels the benefits of this announcement?

Chris Grayling: Manchester will be in an interesting position, because it will be connected with Heathrow by air and by high-speed rail. The linkage between the two airports will become a strong strategic benefit for the air and by high-speed rail. The linkage between the two position, because it will be connected with Heathrow by

Richard Burden (Birmingham, Northfield) (Lab): Connecting the regions and nations of the UK to opportunities and markets abroad has to be about more than how much they can have routes through a national hub in the south-east—however important that national hub is. Does the Secretary of State agree that airports such as Birmingham, Manchester, Edinburgh and East Midlands for freight are international gateways in their own right, not simply regional airports as he described them? While every Minister to whom I have spoken about this has said that they want to support all the UK’s international gateways, few of them have said what they will actually do to make that a reality, to utilise existing capacity and to ensure that the potential of those airports grows in the time it will take, which could be a decade or more, to build the new runway—if indeed that goes ahead. What will the Secretary of State do about that?

Chris Grayling: We have a thriving aviation sector, and I am unsure whether regional airports need ministerial help to grow because they are doing a pretty good job already. Every time I visit a regional airport, I am surprised by the range of international destinations. Cardiff airport has recently launched a route to Qatar, and a whole variety of different European, transatlantic and other international routes have been developed at our regional airports. I expect that to continue, but the reality is that, apart from some of the most strategically important routes, there is often not enough of a market in a regional area to justify the launch of a route. The purpose of a hub airport is effectively to assemble a market to justify such routes and strengthen the whole UK.

Mr David Jones (Clwyd West) (Con): I congratulate my right hon. Friend on his statement today. Given that Heathrow is the UK’s biggest port by value for exports outside the European Union, does he agree that its expansion will be crucial to British businesses all over the country in the post-Brexit world?

Chris Grayling: Absolutely. It is important that Heathrow is planning to source services, products and manufacturing from all around the UK. As the hon. Member for Kilmarnock and Loudoun (Alan Brown) said earlier, we want this project to create not just connections for the whole UK but opportunities for businesses around the country.

Vera Hobhouse (Bath) (LD): Why is the Secretary of State so much in support of the unpopular expansion of Heathrow airports when airports such as Bristol are looking to expand, which would make much more environmental and economic sense to my constituents in Bath and to people across the south-west? As the hon. Member for Birmingham, Northfield (Richard Burden) pointed out, regional airports are international airports in their own right, so why the obsession with London airports?

Chris Grayling: This is not about one thing or the other. Bristol airport has done a fantastic job of building up an international network, serving more than 100 destinations, and it is a great airport and a great success story. However, that does not remove the need for a hub airport to deliver strategic connections that only really operate from a single centre, with a market assembled from several destinations within the UK and, indeed, internationally to make such routes viable.

Henry Smith (Crawley) (Con): While I acknowledge the Heathrow runway expansion decision and welcome a decision finally being made, will the Secretary of State assure me that that will not detract from the necessary infrastructure investment at Gatwick airport, particularly, as my hon. Friend the Member for Reigate (Crispin Blunt) said, investing in upgrading the station and rail capacity into Gatwick?

Chris Grayling: My hon. Friend is right. Indeed, as he said yesterday, we have two important pieces of engineering work coming up that I hope will increase the reliability
[Chris Grayling]

of that railway line, which has already seen a big increase in capacity. Gatwick station also needs to be addressed. The proposals that I have announced today about local decisions on smaller expansions will allow airports around the country to enter into dialogue with local authorities about their future without all such decisions being taken at a national level.

Angela Smith (Penistone and Stocksbridge) (Lab): I welcome the Secretary of State’s statement. When the expansion proposal comes before the House in the next few days, I will support it not only because it is in the national interest but because Heathrow is committed to a robust UK supply chain built on four construction hubs throughout the country. Will the Secretary of State commit to supporting that supply chain in every way necessary to ensure that the jobs created by expansion benefit my constituents as well as constituents in the south-east?

Chris Grayling: Absolutely. One of the key benefits is that this multi-billion pound project will serve the entire United Kingdom. Both the airport plan and the supply chain that supports it will create thousands of jobs and thousands of new apprenticeships. The supply chain will be across the United Kingdom, and it will create jobs and opportunities, in the Year of Engineering, for a new generation of engineers.

Iain Stewart (Milton Keynes South) (Con): As a member of the Transport Committee, I thank my right hon. Friend for accepting our recommendations. As the champion of the Oxford-Milton Keynes-Cambridge corridor, I am heartened by his proposal to link the Chiltern line into Heathrow. I urge him to bring forward those plans as soon as possible, because that connectivity will help to realise the Government’s wider ambitions for Britain’s brain belt.

Chris Grayling: I absolutely agree with my hon. Friend on that latter point. I am working with HS2 to make sure that provision is made in the development of Old Oak Common to put in those Chiltern line platforms. The Oxford-Cambridge corridor is crucial to the development of our economy. It will need connections into our premier hub, and this is the best way of achieving that.

Andy Slaughter (Hammersmith) (Lab): This is not even a robust plan for London, and it damages and stunts regional airports. The Secretary of State has given no details about flight paths, and has no coherent plans for air quality, surface access, jobs or controlling public subsidy. He is well known for his reverse Midas touch but, on this issue, should he not listen to the right hon. Member for Putney (Justine Greening)? She said this morning that we need a UK-wide airport strategy, not this expensive and incompetent botch job.

Chris Grayling: I know that the hon. Gentleman has a particular view on this proposal, so I did not expect to find him supportive of it. We will work very hard to ensure that the areas affected by expansion are treated as decently as possible and supported by what will be a world-leading package of community support, which I hope will mitigate the impact of this project of national strategic importance.

Julian Knight (Solihull) (Con): I support the statement and the Secretary of State’s careful, consultative approach. Birmingham airport, which is on the border of my constituency, currently runs well under capacity—by about 30% to 40%. Does he believe that this announcement will improve that situation over time, and if so, how?

Chris Grayling: There is capacity at a number of our regional airports, which continue to grow. Birmingham airport will continue to grow. If we expand Heathrow, there is no doubt Birmingham airport will face greater competitive pressure than many of our other airports, but that does not mean that it will cease to be a success story. Birmingham airport is already a great asset for the west midlands, and that will continue. It has attracted a number of important international routes in recent times, and I have no doubt that that will continue.

Ian Austin (Dudley North) (Lab): For all the talk of balancing economic growth and boosting the regions, it is the same old story—the bulk of investment, spending, jobs and benefits is always in London and the south-east. Why could the Government not show a bit more imagination by expanding Birmingham airport and getting behind the regions? Birmingham airport is actually the best connected airport in the country. It is on the motorway network and, if HS2 were taken to Heathrow, it would be quicker for passengers to get from Heathrow to Birmingham than it now is for them to get from Paddington to Heathrow. That would mean that we in the midlands would get our fair share of the jobs, the investment and the benefits.

Chris Grayling: I make it clear that I expect there to be benefits and jobs all around the country, including in the west midlands. Birmingham airport is a very good airport. I have no doubt that it will continue to attract passengers and routes, and to be a success story for the west midlands—that is the way it should be. There are particular reasons why the United Kingdom needs to build on its principal strategic airport hub, but that will not prevent other airports from growing. The measures I have announced today will enable those airports to do so.

Steve Double (St Austell and Newquay) (Con): I warmly welcome the Secretary of State’s announcement of the long-overdue decision to expand our national hub airport in the national interest. I assure him that this announcement will be warmly welcomed across the south-west, particularly in Cornwall.

I thank the Secretary of State for his specific reference to Newquay airport and for his commitment to ensuring that slots are available for regional airports. In that vein, does he agree that a direct link from Newquay to Heathrow would offer huge opportunities for greater exports from Cornwall and for inward investment into Cornwall? I ask for his support to ensure we can achieve that.

Chris Grayling: Newquay is one of the principal future beneficiaries of expansion. There is a real opportunity to increase air links to a part of the country that is quite
distant in existing transport terms. I am strongly of the view, as is my hon. Friend, that Newquay has the potential to flourish with Heathrow expansion, and I will happily work with him to do everything we can to make sure that happens.

Mr Gavin Shuker (Luton South) (Lab/Co-op): The project will likely span multiple Parliaments, and certainly successive Administrations, so does the Secretary of State agree that it would be frankly incredible for a party of government not to have a clear position on this proposal when it comes to be voted on in Parliament? Will he therefore confirm the whipping arrangements for his own party? Can he suggest any mechanisms that might allow some individuals to take a different view while maintaining collective responsibility?

Chris Grayling: It is for each party to decide its own whipping arrangements—I have no doubt that is what will happen. On the timetable, I expect to reach the completion of the DCO process late in this Parliament. I hope we can get going on building this runway in the early 2020s, if the House gives its consent over the next couple of weeks. I hope all parties that aspire to govern this country in the post-Brexit world will unite behind a proposal of vital strategic importance.

Mr Laurence Robertson (Tewkesbury) (Con): I congratulate the Secretary of State on at last moving this issue forward. Does he agree that the delays, which have been caused by successive Governments, have caused the UK to lose a lot of business? For example, Dublin is already getting on with expanding its airport. I know that there are restrictions and difficulties, but may I ask him—so that this country does not continue to lose air business—to move this issue on as quickly as possible?

Chris Grayling: I give my hon. Friend that assurance. Like many other Members, my view is that this decision should have been taken a long time ago. At least we are taking it now, and I want to get on with the job.

Jonathan Edwards (Carmarthen East and Dinefwr) (PC): Transport for London has estimated that it will cost some £20 billion to link the third runway to London. Will the Department be designating that as UK spend or as England-only spend? If the Secretary of State cannot answer that question now, will he make sure that the Government officially outline their position before we are expected to vote?

Chris Grayling: As I have said before, I do not recognise that figure. We have a well-designed plan to deliver the transformation of surface access to Heathrow—some privately funded and some already in the investment pipeline—such as on Crossrail and HS2, all of which is reflected in the settlements that exist across the United Kingdom for capital spending.

Ben Bradley (Mansfield) (Con): I welcome my right hon. Friend’s statement. Does he agree that the chance to promote skills in construction and engineering out in the regions, particularly at the manufacturing hub near my Mansfield constituency, is a massive chance both to provide the kinds of high-quality jobs for which my constituents are crying out and to raise aspiration and social mobility in such areas across England?

Chris Grayling: My hon. Friend is absolutely right. This is the Year of Engineering, and projects such as the expansion of Heathrow and HS2 have the ability to provide opportunity and excitement for the new generation of engineers that we will need if we are to have a successful economy. This project is much more than a transport project; it is about the development of skills and job opportunities for the whole United Kingdom.

Marsha de Cordova (Battersea) (Lab): Londoners, especially those such as my constituents who live under Heathrow flight paths, already face unacceptable levels of air pollution and noise pollution, not to mention the grave risks we all face from climate change. Why does the Secretary of State think that noise pollution, air pollution and climate change are not important enough issues to influence Government policy?

Chris Grayling: We have carefully considered issues such as noise, air quality and climate change, which was why we commissioned the Airports Commission to do its detailed work, and why we have updated that work so that the House has all the information it needs. Of course, the other thing we have to take into account is the potential for our economy, which is why I am grateful—perhaps unusually—to the Unite trade union and Len McCluskey, whom the hon. Lady knows well, who this morning again expressed his support for the project.

John Howell (Henley) (Con): The airspace review is a crucial part of the success of this project. Together they can help to limit stacking, so will the Secretary of State say something about how these reviews dovetail?

Chris Grayling: The CAA and NATS have already started work on airspace changes and the consultation on them. This is vital because it can have two big effects. First, it makes the future management of our airspace possible. At the moment, airspace is extremely congested, with conflicts between airports, and we need to modernise and to use new technology. Secondly, it enables a change to the management of aircraft as they come into the UK’s airspace in a way that can substantially affect stacking, which is also a huge benefit. The proposal of the third runway does not change the need for reform; it simply adapts that reform to fit the more detailed design as it emerges.

Stephen Timms (East Ham) (Lab): I welcome the Secretary of State’s decision. He referred to local employment and apprenticeships in his statement. What is his Department’s assessment of the increase in employment at Heathrow, both during the construction phase and in the long term?

Chris Grayling: The estimates fluctuate somewhat but, in essence, we are talking about the number of additional jobs created being in the high tens of thousands. Obviously this depends on how we measure and estimate them, as well as on the rate of expansion of the airport, but about 100,000 extra jobs should be created.

Justin Tomlinson (North Swindon) (Con): There is strong support for the proposal from Swindon businesses and residents, particularly hard-working families looking
to book holidays. May I also stress the importance of the western rail link, as it would give my constituents direct access to Heathrow in less than one hour?

Chris Grayling: My hon. Friend is right about the importance of the proposal in terms of not only connections to places such as Swindon, Bristol, the south-west and south Wales but, as I said earlier, providing better opportunities for staff who live more locally to get to work on the train. I absolutely accept the importance of the project. It is part of our investment plans for the next control period on the railways, and my expectation is that it will be open in good time for the runway.

Luke Pollard (Plymouth, Sutton and Devonport) (Lab/Co-op): The Secretary of State will know from my questions in the Transport Committee that I wanted his Department and Heathrow to do much more about getting people to the airport by public transport in a two-runway world, let alone in a three-runway world. We need to see the money, not just hear the soundbites, so will he assure us that western rail access is now fully funded? How much of the funding will be contributed by Heathrow?

Chris Grayling: As far as I am concerned, that is fully funded, and we intend to extract as much money as possible from Heathrow for all the improvements—it needs to make a substantial contribution to this, but the project will be delivered.

Jeremy Quin (Horsham) (Con): May I warmly welcome this comprehensive statement? I wish to pick up on a point that my right hon. Friend made about freight transportation, because I believe that was omitted from the otherwise excellent Davies commission. Will he confirm that, and will he also confirm that adding in freight transport significantly increases the economic value of Heathrow?

Chris Grayling: Yes, I was surprised that that was not taken into account, but the Davies commission did not seek to monetise the freight potential of an expanded Heathrow and factor that into its findings. We have carefully followed the same methodology as it used, because we judged it to be wrong to change methodology mid-stream, but the numbers do not include freight. Heathrow is our biggest freight airport by value—it is our biggest freight port by value. It is central to the economy of many parts of the UK, ranging from the north of Scotland, from where smoked salmon products are shipped internationally via Heathrow, to more local businesses in the London area. My hon. Friend is absolutely right to say that freight is a crucial part of this decision.

Kevin Foster (Torbay) (Con): I warmly welcome the statement. Let me be clear that expanding Heathrow is about not just London, but Torbay—it is about businesses getting out to markets, and seafood being shipped out to China every day through this port. Will my right hon. Friend reassure me that we will now get on with this and very quickly have the vote on the Floor of this House so that we show just what support the plan has?

Chris Grayling: The answer to that is most definitely yes. As a result of the statutory process, we have to get on with the vote—it will happen shortly. Clearly the business managers will announce the detailed dates of the business, but I want to get on with this as well.

Andrew Bowie (West Aberdeenshire and Kincardine) (Con): On behalf of the businesses and people of the north-east of Scotland, I thank the Secretary of State for his announcement. Sectors including UK oil and gas, as well as economic growth in my part of the world, are reliant on numerous slots to the south-east and beyond, so I thank him. To put this beyond any doubt, will he confirm that the decision will mean a growth in connectivity for Scotland, and for Aberdeen in particular?

Chris Grayling: Absolutely, Aberdeen and the oil industry are clearly one potential beneficiary from all this. The oil industry is to be found in disparate parts of the world, and we have enormous expertise in Aberdeen. The routes that people in the oil industry need to take would not automatically be served by a regional airport, which is why a better hub airport with more international connections is a particular benefit to industries such as his in Aberdeen.

Huw Merriman (Bexhill and Battle) (Con) rose—

Tom Pursglove (Corby) (Con) rose—

Mr Speaker: I call Huw Merriman.

Huw Merriman: Thank you, Mr Speaker. It is a pleasure to get through your stacking system ahead of Air Corby.

I thank the Secretary of State because, as a member of the Transport Committee, it is a delight for me to see the Committee, across party, collaborating with the Government—I think that this is the best of it. Our recommendation 22 dealt with the Lakeside Energy from Waste plant. Will he confirm that there is still a commercial opportunity for a more up-to-date waste management capability to be purchased? That is the only recommendation that has not been followed by the Government.

Chris Grayling: I had a lot of sympathy with what the Select Committee was saying, but we did not accept that recommendation because the plant is not an asset categorised as strategically important for the UK. Clearly discussions are already taking place between the airport and the owners about what should happen to that plant. Had it been of strategic importance, we would have had the Committee’s recommendation, but the truth is that it is not, so this really is a matter for the different organisations involved.

Tom Pursglove: It is always good to get through at last call, Mr Speaker.

What difference does my right hon. Friend think this decision will make to our international trading prospects and to UK steel supply chains? Let me also tell him that in Corby we certainly want one of these new construction hubs.

Chris Grayling: I suspect there will be quite a lot of competition for those hubs. I have no doubt that Corby will do a great job in attracting business as a result of
this project. Its particular importance relates to the events of the past few years. We will shortly be entering the post-Brexit world. If this country is to demonstrate that we will remain an outward and internationally focused trading nation, such a project will be of vital strategic importance to us. Whatever anyone’s view might be about the Brexit process, I hope that all Members will accept that we are much better off demonstrating to the world that we want to be connected, involved and trading post Brexit. As a result, I hope that people across the House will get behind the proposal to make sure that it is carried, when it comes to a vote, and that we send a powerful message to the world that Britain is in business.

Justine Greening: On a point of order, Mr Speaker.

Mr Speaker: If the point of order relates to that which we have just been discussing—I think it does—I am happy to take it now.

Justine Greening: Mr Speaker, the statement omitted to mention when the national policy statement debate will be. That is important, because Members will of course want to table written questions to find out more about the copious documents that have been published. I am concerned that there is not much time to table named day questions and receive answers in time for the debate. What would your advice be on that?

Mr Speaker: My advice in the first instance is to see, here and now, whether the Secretary of State can provide any illumination on that matter. Depending on what he says, I might have further advice for the right hon. Lady.

Chris Grayling: Further to that point of order, Mr Speaker. The formal process in statute is that the vote has to take place within 21 sitting days of my tabling the NPS. That took place this morning, so the vote has to take place within 21 sitting days of now. The exact date will be a matter for the business managers, but we will want to ensure that Members have sufficient time to look at the material tabled today. As for written questions, I will make sure that my Department expedites responses to issues raised by Members so that they can study them in good time before the vote.

Mr Speaker: I am grateful to the Secretary of State for that response to the point of order raised by the right hon. Member for Putney (Justine Greening). Flowing from it, my perhaps unsurprising advice to her is that she should press ahead with her tabling of questions, in effect, urgent questions and receive answers in time for the debate. What would your advice be on that?

Chris Grayling: On a point of order, Mr Speaker. The Secretary of State for Digital, Culture, Media and Sport (Matt Hancock): With permission, Mr Speaker, I shall make a statement about the proposed merger between Comcast and Sky and the proposed merger between 21st Century Fox and Sky. In my quasi-judicial role I have considered the mergers separately, on their own merits, and wish to set out my decisions taken on the basis of the relevant evidence.

First, let me update the House on Comcast’s proposed acquisition. On 7 May, Comcast notified an intention to acquire Sky. As Secretary of State, I am required to consider whether the merger raises public interest concerns that meet the threshold for intervention set out in section 58 of the Enterprise Act 2002. As required, I considered the need for a sufficient plurality of people with control of media enterprises; the need for a wide range of high-quality broadcasting; and the need for a genuine commitment to broadcasting standards. Last month, I informed the House that I was minded not to intervene in the merger, on the basis that it does not meet the threshold for intervention. I gave interested parties time to make representations, but received no further representations. As a result, I have concluded that the proposed merger does not raise public interest concerns, so I can confirm today that I will not be issuing an intervention notice.

Turning to Fox’s proposed acquisition of Sky, in March 2017, my predecessor issued an intervention notice on public interest grounds, because of concerns about media plurality and the genuine commitment to broadcasting standards. The intervention notice triggered phase 1 investigations by Ofcom and the Competition and Markets Authority. In September, having considered their reports, along with further advice from Ofcom, my right hon. Friend referred the proposed merger to the CMA for a phase 2 investigation on both grounds. The CMA published its interim report in January and provided its final report to me on 1 May. I have published that report today and deposited a copy in the Libraries of both Houses. The report confirms, as previously set out, that the proposed merger does pass the threshold for a relevant merger situation, and provides recommendations on both public interest tests.

On broadcasting standards, the CMA carried out a thorough and systematic assessment, taking into account the approach of Fox and Sky to broadcasting standards, both in the UK and outside, and the approach of Fox and News Corp to wider regulatory compliance and corporate governance. The CMA concluded, in line with its interim findings, that the merger may not be expected to operate against the public interest on the grounds of a genuine commitment to broadcasting standards, and I agree with that finding.

On media plurality, the CMA’s final report confirms its interim findings that the proposed merger may be expected to operate against the public interest. The CMA found cause for concern in two areas: first, the potential erosion of the editorial independence of Sky News, which could in turn lead to a reduction in the diversity of viewpoints available to and consumed by the public; and secondly, the possibility of an increase in influence of the Murdoch family trust over public opinion and the UK’s political agenda. The CMA used

Proposed Media Mergers

2 pm

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[Matt Hancock]

a clear and logical approach and took into account Ofcom’s media plurality framework. It took great care to obtain a wide range of written and oral evidence, and I agree with its finding, too.

When the CMA finds that a merger is likely to operate against the public interest, it is required to consider what remedy would be appropriate. To address plurality concerns, the CMA considered a range of options, including those proposed by the parties. Specifically, the options were: first, a firewall of behavioural commitments to insulate Sky News from the influence of the Murdoch family trust; secondly, a ring fence, whereby Sky News would be separated structurally from Sky but still owned by Fox, along with the same behavioural commitments; thirdly, divesting Sky News to a suitable third party; and fourthly, prohibition of the transaction as a whole.

I have considered the CMA’s detailed assessment and its conclusions on how effective and proportionate the different remedies are. I agree with the CMA that divesting Sky News to Disney, as proposed by Fox, or to an alternative suitable buyer, with an agreement to ensure that it is funded for at least 10 years, is likely to be the most proportionate and effective remedy for the public interest concerns that have been identified. The CMA report sets out some draft terms for such a divestment, and Fox has written to me to offer undertakings on effectively the same terms.

The proposals include significant commitments from Fox, but some important issues on the draft undertakings still need to be addressed. I need to be confident that the undertaking ensure that Sky News remains financially viable over the long term; is able to operate as a major UK-based news provider; and is able to take its editorial influence. As a result, I have asked my officials to begin immediate discussions with the parties to finalise the details with a view to agreeing an acceptable form of the remedy, so that we can all be confident that Sky News can be divested in a way that works in the long term.

Under the legislation, I am required to consult formally on the undertakings for 15 days. Subject to the willingness of the parties to agree the details, I aim to publish the consultation within a fortnight. I am optimistic that we can achieve our goal, not least given the willingness that 21st Century Fox has shown in developing these credible proposals. However, if we cannot agree terms at this point, I agree with the CMA that the only effective remedy would be to block the merger altogether. That is not my preferred approach.

We have followed a scrupulously fair and impartial process, based only on the relevant evidence and objectively justified by the facts. I wish to thank Ofcom, the CMA, the parties, my predecessor and my fantastic team at the Department for Digital, Culture, Media and Sport for all their hard work. I hope we can reach a final agreement very soon. I want to see a broadcasting industry in Britain that is strong, effective and competitive. I commend this statement to the House.

2.7 pm

Tom Watson (West Bromwich East) (Lab): I thank the Secretary of State for advance sight of the statement, for which I had a little more time to read than usual; I suspect that was a benefit of the usual delays caused by Heathrow airport. [Interruption.] I had to get that gag in.

This is a saga which we have been living through for 18 months. In December 2016, when 21st Century Fox announced its bid for Sky, the world looked very different: the Tories were riding high in the polls; the Prime Minister was popular, even among her own Back Benchers; we had a different Culture Secretary; and I was six stone heavier. I do not think that even the Murdochs would have anticipated the changes that have happened since then.

To her credit, the previous Secretary of State, the right hon. Member for Staffordshire Moorlands (Karen Bradley), took her time over the bid. She ensured that it was subject to the full gaze of regulatory scrutiny and did not just provide the rubber stamp that Fox hoped for. During that time, Fox found itself not only covering scandals but embroiled in scandals, with sexual harassment allegations and high-profile dismissals at Fox News. A rival bidder, Comcast, has come forward. The approval of both bids today means that this is not the end of the story.

The Murdochs will be relieved that the old order is at least starting to reassert itself. Even before today, the new Secretary of State was doing what they asked of him, dumping the promises made to the victims of phone hacking by announcing that Leveson 2 would not go forward. Why is that relevant to this announcement? Well, the information that Leveson 2 would have revealed about corporate governance failure on an industrial scale is entirely relevant to the question of whether the merger would be good or bad for Sky’s adherence to broadcasting standards. Let us remind ourselves that the most recent allegations in the civil litigation against News Group Newspapers claim that senior executives at the top of the empire were not just culpably ignorant, but knowingly complicit about criminal conduct going on at News Group papers. Leveson 2 would have looked at that. The European Commission raided the London offices of 21st Century Fox just a few weeks ago as part of an investigation into violations of EU anti-trust rules. The Murdochs will be grateful that the Secretary of State is less curious than the officials who raided that building.

We on the Labour Benches understand that there are many commercial and technical elements of this bid to consider, but for us the priority has been to safeguard the future of Sky News. From Kay Burley to Adam Boulton, Sky News has some of the best presenters on TV and has always been a beacon for independent and rigorous journalism. Our priority is protecting that and ensuring that Sky News thrives going forward. The Secretary of State has given his approval for the Fox bid today subject to Fox’s proposed remedy that Sky News be divested to Disney or a suitable alternative. We have serious concerns about that, including how we ensure the long-term future of Sky News as a UK-based independent organisation under this option. Were the Fox-Disney deal to fail, it could leave Sky News isolated from Sky and owned by a foreign company with few news interests in the UK. It is hard to see how that would be in the public interest. Does the Secretary of State really think that this proposal of divestment is in the best interests of Sky News, or would it become isolated and at sea? He made it clear that he had no concerns about the broadcasting standards. Is he concerned that the civil cases that are currently being brought
against Murdoch papers such as The Sun will reveal corporate maladministration that could have altered his decision?

Fox made many undertakings to get to this stage. Will the Secretary of State take personal political responsibility if Fox’s bid is successful and the guarantees that it made are broken, bearing in mind that the CMA opinion, expressed earlier this year, was that this deal was against the public interest? With Comcast now in the ring, the future for Sky is uncertain. A bidding war is on the horizon. That might be good for shareholders, but it is the Minister’s duty to protect the interests of the public. Sky is a gem of British broadcasting and is respected worldwide. Its future and global reputation for excellence is at stake in this process, so it is right that, if there is any doubt about whether the proposed solution is workable, it is the duty of the Secretary of State to ensure that this merger is blocked.

Matt Hancock: As I said in the statement, the analysis that I announced today and have put in the Libraries of the House follows a scrupulous process of scrutiny not just by me and Ofcom, but by the CMA. No matter how long debates over Heathrow took, I am sure that the shadow spokesman has not yet had the chance to read the full 410 pages of the CMA report. It goes into great detail in answering several of the questions that he raised. When it comes to the question of Leveson, it does take into account everything that was disclosed during the Leveson process and, of course, that which was made public by the many court cases since and it has looked over this area rigorously. The CMA concludes that what matters most in the broadcasting standards test is that which is most recent, so while it does take past behaviour into account, it ensures that that which is most recent is also weighted. The behaviour that was described and found under the Leveson inquiry was some time ago, as we have debated already.

I agree with the hon. Gentleman very strongly about the value of Sky News. This is very important to the UK broadcasting environment. I agree that we must be confident that the proposed solution and undertakings that have been given are robust. That is what I will be seeking to nail down over the next fortnight before consulting formally on those undertakings.

I am seeking to strengthen the undertakings that were given to the CMA and that have been repeated to me. When I am confident that those undertakings will ensure the long-term sustainable future for high-quality independent broadcasting at Sky News, as we know it now, I will be prepared to consult on undertakings, take them and live by that decision.

Mr John Whittingdale (Maldon) (Con): May I welcome my right hon. Friend’s statement and congratulate him and his predecessor on their handling of this matter? He will be aware that it is 16 months since the regulatory process got under way. Does he agree that it would be infinitely preferable if the future of Sky was determined by its shareholders and by the market, rather than by the regulatory timetable? Will he therefore give us an assurance that he will do his utmost to resolve the regulatory process before the summer recess begins?

Matt Hancock: Absolutely. My goal on the timeline is to consult within a fortnight. That consultation is required by law to take 15 days, which means that, hopefully, within a month, I will be able to get undertakings in which I have full confidence and can then consult on and conclude this process.

Hannah Bardell (Livingston) (SNP): I thank the Secretary of State for an advance copy of his statement. I wish briefly to pay tribute to my predecessor in this role, my hon. Friend the Member for Argyll and Bute (Brendan O’Hara). He will continue his excellent work on the Digital, Culture, Media and Sport Committee and I feel sure that we will make a formidable team.

The primary concern of the Scottish National party and the Scottish Government was always around the potential impact of the proposals on media plurality. We firmly believe that it is unhealthy for too large a proportion of the media to be under the control of one single group. It is interesting to note that the CMA findings specifically cite public interest and the concern that there will be an erosion of Sky’s editorial independence as well. I am interested to hear the Secretary of State’s views on that issue, particularly on jobs at Sky. As the hon. Member for West Bromwich East (Tom Watson) has said, the Sky News brand is well known, particularly in Scotland and the other devolved nations, so I would like to hear about any impact on jobs. The Secretary of State will know, I am sure, that Sky is one of the biggest private employers in my constituency of Livingston, so I would be very keen to discuss any impact on the call centres there.

I welcome the statement. It has taken some time to get to this point. The concerns that have been raised, including over consultation, must be addressed robustly. Given the scandals that have happened and the families that have been damaged, it is in the public interest that the behaviour of these organisations is considered in this process and in this merger.

Matt Hancock: I agree with the hon. Lady about the importance of Sky News and about making sure that it remains financially viable over the long term. I want to ensure that we can have confidence in that in the final undertakings that are given. Of course Sky News has an excellent record for broadcasting. I am talking about its formal broadcasting standards and, as every Member in this House knows, its ability sometimes to reach the news faster than anybody else. Its interviews with those of us in public office are probing and invigorating. We thoroughly enjoy the service and I want it to be viable for the long term.

Michael Fabricant (Lichfield) (Con): My right hon. Friend is absolutely right to praise Sky and Sky News. He will recall that it opened in 1989 and almost bankrupted, through its costs, the Murdoch family. What concerns me and the shadow Front-Bench spokesman is the long-term viability of Sky News. Ten years is a long time, and we are seeing a changing atmosphere and environment in broadcasting. How can he be assured that, over a 10 year period—and I hope many more years after that—Sky News will survive?

Matt Hancock: We have been given encouraging assurances thus far— not only in the bid directly before us, but in other bids associated with this takeover—that there will be long-term undertakings on the financial viability of Sky. I want to ensure that the organisation is robust, and that Sky News continues to do the brilliant
job that it does now. I know that others have raised concerns about broadcasting standards within companies owned or part-owned by the Murdoch family trust, but Sky is an example of a brilliant broadcaster with incredibly high broadcasting standards, on a par with the BBC, ITV and Channel 4. That is why ensuring its long-term viability has so much resonance in the House, and it is also the reason why it matters so much to me.

**Chris Bryant (Rhondda) (Lab):** The thing is, I can see exactly what is going to happen. The Secretary of State is going to accept any assurances that come in over the next few weeks and it will all be signed off. Then, in a few years’ time, Sky will be starved of money by whoever buys it and the broadcaster will end up coming to the next Secretary of State, or maybe even the same Secretary of State—I know he loves the job—to say, “Terribly sorry; it didn’t work out. Can we please now be subsumed back into Fox, or can we just let Sky die?” Kay Burley will then be out of a job, so she will stand in West Suffolk and defeat the Secretary of State, because most people in this country would prefer diversity of media ownership and want to keep Sky as independent as possible.

**Matt Hancock:** I relish the prospect of a contest against anybody in West Suffolk. I am not sure that the path set out by the hon. Gentleman, who is normally an optimist by nature, is the most likely one, not least because I will seek undertakings to ensure that Sky News remains viable over the long term and independent so that it can pursue us politicians without fear or favour.

**Mr Nigel Evans (Ribble Valley) (Con):** Nobody could accuse the Secretary of State’s Department of rushing this decision; it has been made very carefully and cautiously, as it should, because Sky is well loved. I fought the Pontypridd by-election in 1989, which was the first by-election to be broadcast on Sky TV, so I have great fondness for the organisation. Sky has clearly weathered the storm that I did at the Pontypridd by-election. None the less, there is great plurality out there with the changing way in which people are accessing news these days. Given the diversification of Sky News and these guarantees, surely now is the time for the decision to be made so that the shareholders can make their decision.

**Matt Hancock:** I recognise the amount of time that has passed since we were first notified of this proposal. That is why I want to reach an agreement on the undertakings within a fortnight. I am absolutely certain that the parties will stand ready to meet that deadline, as my team and I also stand ready. We must then have the 15-day formal consultation, but I hope that will mean that the formal approval process from the Government side can be concluded within a month from now. There is a merger battle closer than on the horizon.

**Christine Jardine (Edinburgh West) (LD):** Liberal Democrats have been consistent in expressing our concern about the Sky-Fox deal should it have gone ahead in its entirety. I therefore welcome the Secretary of State’s assurances that Sky News will be protected and sold off. Will he also reassure us that that there will be similar undertakings about the future of Sky News in the event that Comcast is the buyer?

**Matt Hancock:** Undertakings and assurances have been made by Comcast. By law, I was required to look at the Comcast bid because it is also of material size. We have done that and, as I set out, it does not raise the public interest concerns. I have therefore confirmed today that we will not be issuing an intervention notice. I know well the Liberal Democrats’ concerns in this area, having worked with the right hon. Member for Twickenham (Sir Vince Cable) in government. I hope that the resolution we come to over the coming weeks will be one that demonstrates with confidence that Sky News will be independent and viable, and that we can therefore be content with the media plurality.

**Justin Tomlinson (North Swindon) (Con):** Although it was right that we had a thorough and transparent process, may I echo the comments that we need swiftly to come to a conclusion? The UK is a proud hub for investment in broadcasting and production, creating high-skill jobs. We need to demonstrate that the UK is both open to and welcoming of further investment.

**Matt Hancock:** I very much agree with the sentiment that my hon. Friend expresses. In coming to the House with this decision a week before the deadline and being clear about the rapidity of the next phases, I hope that we have demonstrated not only that we will be thorough and do this by the book, but also that we will get on with it.

**Ian Paisley (North Antrim) (DUP):** I refer to my entry in the Register of Members’ Financial Interests.

I welcome the Secretary of State’s statement, particularly his most welcome comments about protecting Sky News. Will he assures us that Comcast will be put through the same rigorous tests that others have been put through? Will he also assure us that we are going to see not more tunnel but some light at the end of the tunnel, and that there will be a final and conclusive decision before the summer recess?

**Matt Hancock:** On the latter question, yes; I very much hope so, and I am optimistic, presuming that the parties engage in full and rapidly. I have deployed my team to take forward immediately after this statement the work that is needed to finalise the procedures.

On the hon. Gentleman’s first point, we have subjected Comcast’s bid to the law in exactly the same way. The truth is that Comcast’s existing UK media footprint is very small, so it simply does not raise the same concerns over plurality. The Murdoch family trust has very significant other media interests—not least in newspapers—whereas Comcast does not, so it is in a different situation, but we have applied the law in the same rigorous way.

**Rebecca Pow (Taunton Deane) (Con):** Having been a journalist and broadcaster for most of my life, I was prompted to speak because I think we should speak up for maintaining the high-quality news and journalism that Britain is famous for. That should be at the heart of this decision. We need competition, and we need Sky News still to be giving a professional service, especially in these days of fake news. That is essential. I am sure that the Secretary of State is taking this to heart, because it is important.
Matt Hancock: It is an incredibly important point on which to end. You will know, Mr Speaker, as my hon. Friend does, that I am absolutely committed to high-quality journalism in the UK. The decisions that I have announced today, along with decisions—sometimes controversial ones—to protect the future of high-quality journalism are at the cornerstone of my approach to media policy. It is vital to have a free press and free media to ensure that we have high-quality journalism underpinning our high-quality political debate.

Mr Speaker: I entirely accept that the Pow moment was a magnificent one, but the Secretary of State erred in suggested that it was the conclusion of our proceedings, for it would be a very considerable deprivation to the House if we were denied the opportunity to hear the voice of Strangford; and we will hear the voice of Strangford, I am sure, in full force and now. I call Jim Shannon.

Jim Shannon (Strangford) (DUP): Thank you, Mr Speaker; you are always very generous. It is always a pleasure to speak on behalf of the people of Strangford. I thank the Secretary of State for his statement. Avaaz has won permission to have its case for a judicial review of Ofcom’s decision heard in court on 19 and 20 June, so this statement is not the last word. Does the Minister accept that if Avaaz were to win the case, Ofcom would have to go back and reinvestigate the Fox-Sky bid, adding even more uncertainty to the outcome?

Matt Hancock: There are a number of ongoing court cases in this space, and they have all been taken into account up to their most recent stages. Everything relevant has been taken into account and we have followed the process scrupulously. Nevertheless, the decision that I have set out today is based on a thorough assessment of the relevant evidence. I hope that that means that we can now proceed with getting firm and final undertakings that secure the future of Sky News and allow this to go ahead.

DiGeorge Syndrome (Review and National Health Service Duty)

Motion for leave to bring in a Bill (Standing Order No. 23)

2.29 pm

David Duguid (Banff and Buchan) (Con): I beg to move,

That leave be given to bring in a Bill to require the Secretary of State to conduct a review into DiGeorge (22q11 deletion) syndrome; to require the National Health Service to publish a strategy after the review is complete; and for connected purposes.

This Bill would, as its long title says, place a duty on the Secretary of State and the Department of Health and Social Care, in consultation with the national health service and key stakeholders, to conduct a review into the diagnosis and treatment of DiGeorge syndrome. Those stakeholders should include sufferers from DiGeorge syndrome and their families. The Bill would also require the NHS to develop and publish a strategy for DiGeorge syndrome after that review had concluded.

For the purposes of the Bill, I have referred to this condition as “DiGeorge syndrome” with “22q11.2 deletion” in parentheses, as “DiGeorge syndrome” is the name most commonly used by the NHS. However, because the signs and symptoms of this syndrome are so varied, different groupings of its features have historically been regarded as separate conditions under a variety of different names. Those conditions are now understood to be presentations of a single syndrome with the universally accepted nomenclature of “22q11.2 deletion syndrome”.

For brevity, Members will be glad to hear, I will refer to the condition as “22q” from now on.

22q is a genetic disorder caused by the deletion of between 30 and 40 genes in the middle of chromosome 22 at a location known as 22q11.2—hence the name. 22q is often referred to as a rare genetic condition. However, as the second most common chromosomal syndrome after the much more familiar Down’s syndrome, it is unfortunately not as rare as the little-known name might suggest. Estimates have ranged between one in 4,000 and one in 2,000 live births, although due to the lack of familiarity with the condition, that is expected to be an underestimate. In fact, recent estimates suggest that it is as common as one in 1,000. 22q is often described as “the most common genetic syndrome you have never heard of.”

Everyone with 22q is affected differently. Most children with the condition survive to adulthood and enjoy a relatively normal lifespan and an independent life. However, 22q can lead to a range of health issues that can affect quality of life and even shorten lifespan. Congenital heart disease is a common concern, as well as defects in the palate and a range of learning difficulties. Worryingly, children who are born with 22q and present with learning difficulties are often misdiagnosed as being on the autistic spectrum. Studies have shown that although some of the developmental symptoms may be similar, the causes of the symptoms are quite different. That common misdiagnosis often leads to 22q patients receiving the wrong kind of care and support, with potentially disastrous effects.

Because the different treatments offered can be as varied as the root causes themselves, children with 22q often develop other medical issues, particularly concerning
mental health, that could otherwise have been avoided if diagnosed correctly. Mental health issues are very common among patients living with 22q, particularly if diagnosis is missed early on. In 22q patients, mental health issues often present themselves at a much earlier age than in the general population. Schizophrenia, for example, normally has an occurrence of about 1%, whereas in the 22q population it is estimated at closer to 25%.

When I first became aware of the condition, one of the concerns that surprised me the most was the relative lack of familiarity of 22q among not only parents and educators but those in the medical profession, particularly in general practice. Because of that, many symptoms go unnoticed until they have already progressed considerably. This blind spot not only means that the NHS incurs additional costs in the long term but has a terrible impact on the patient, their family and their carers, as well as affecting employment, quality of life and mental wellbeing. Early detection of 22q provides the opportunity for early intervention and management of the condition, which can significantly improve the quality of life of patients and their families.

At this point I would like to pay tribute to the charity Max Appeal, which does a huge amount of very valuable work on 22q. It has produced a paper that argues for the introduction of a screening programme for 22q that provides earlier diagnosis of affected individuals, in turn reducing morbidity and possibly even mortality. For a relatively small cost, such a screening programme would help to keep overall healthcare costs down due to the early detection of potential related issues and the complications that I have mentioned.

22q can be detected through a simple heel-prick test that the NHS already offers to babies around five days after birth. The test entails pricking the baby's heel and collecting four drops of blood that are then tested for a total of nine conditions, including the more well-known sickle cell disease and cystic fibrosis. At the moment, no screening for 22q is performed routinely on the blood collected through heel-prick testing. Any blood tests to check for 22q are done only to confirm a diagnosis when another symptom prompts clinicians to do so, such as in the case of a cleft palate or heart defect. Clearly, that approach cannot be relied on to catch all cases, partly due to the surprisingly low awareness of the condition among GPs and other medical professionals not specialising in the field of rare genetic conditions.

The UK national screening committee does not currently have a recommendation on screening for 22q, although some work has been done on it in the United States. For example, a 2014 study published in the journal *Clinical Chemistry* found that blood spot tests would be a promising approach for newborn screening for 22q. A 2017 study in the *Journal of Clinical Immunology* looked primarily at screening for severe combined immunodeficiency, or SCID. That study discussed the potential introduction of newborn blood spot testing for 22q. The authors of the study concluded:

“Assays which screen for 22q11.2 Deletion Syndrome using dried blood spots have been developed and proven to be effective and efficient...Population-based studies should be completed to demonstrate the efficacy of these assays on a larger scale...However, the clinical characteristics, diagnosis, management, and treatment of 22q11.2 Deletion Syndrome have been shown to meet the criteria for new-born screening programs and support the need for earlier diagnosis.”

Screening for SCID is currently being trialled in the UK, and it is believed that it could be extended to a “two birds with one stone” approach by trialling screening for 22q. As I mentioned, Max Appeal has produced a paper that argues the case for that. I hope that the Secretary of State and the relevant Ministers at the Department will consider reading it.

I know that Ministers and fellow Members will be as concerned as I was to learn of the struggle facing 22q patients and their families. It is for that reason that I am asking the House that leave be given to bring in a Bill to require the Secretary of State and the Department for Health and Social Care to conduct a review into 22q, and to require the NHS to publish a strategy after that review is complete. Whatever the outcome, that would be of real value and of real reassurance to the thousands of families around the UK who are affected. There is so much that we can do to help those families in a sensible, proportionate and cost-effective fashion.

Finally, I would like to invite the Secretary of State, his Ministers at the Department and any hon. Members who would like to hear more about this issue to attend the next meeting of the all-party parliamentary group on 22q11 syndrome, of which I am the chair, on 26 June. I know that Max Appeal and the families that it represents, who are spread across the country in many colleagues’ constituencies, would be very grateful to see them there.  

*Question put and agreed to.*  

*Ordered.*  

That David Duguid, Heidi Allen, Mr Robert Goodwill, Alex Sobel, Norman Lamb, Jack Lopresti, Vicky Ford, Melanie Onn and Jim Shannon present the Bill.  

David Duguid accordingly presented the Bill.  

*Bill read the First time; to be read a Second time on Friday 26 October and to be printed (Bill 218).*
**Offences Against the Person Act 1861**

_Emergency debate (Standing Order No. 24)_

Mr Speaker: We now come to the emergency debate. Before I call the opening speaker, I should point out that no fewer than 22 Back-Bench Members are seeking to contribute, and there will have to be a time limit. How strict it depends on the early part of the debate.

2.39 pm

Stella Creasy (Walthamstow) (Lab/Co-op): I beg to move,

That this House has considered the role of the UK Parliament in repealing sections 58 and 59 of the Offences Against the Person Act 1861.

I want to start by thanking you, Mr Speaker, for granting this debate and all the Members who have given their cross-party support. I have always believed that abortion is a non-partisan issue, and I want to pay tribute to the hon. Members for Totnes (Dr Wollaston), for East Dunbartonshire (Jo Swinson), for Dwyfor Meirionnydd (Liz Saville Roberts) and for Brighton, Pavilion (Caroline Lucas) for their work on this issue, and in particular my hon. Friend the Member for Kingston upon Hull North (Diana Johnson), who has led the efforts on decriminalisation.

There are many issues ahead of us today: decriminalisation, devolution and domestic abuse, but above all, it is about a particular “d”—dignity: the dignity of women to be able to choose for themselves what to do with their own bodies. I am proud to have been able to work on this issue with the Alliance for Choice, the London Irish Abortion Rights Campaign, the British Pregnancy Advisory Service, the Family Planning Association, Marie Stopes and Amnesty International. We have not stopped planning for this since last year’s vote to secure access for Northern Irish women to abortion here on the NHS. The truth is that we knew that that solution did not answer the test that Arlene Foster herself has set, to ensure that the men and women of Northern Ireland are not treated differently by the United Kingdom Government.

But it is the impact of the Irish referendum that brings us here today. The Irish Taoiseach Leo Varadkar welcomed the yes vote in Ireland a week ago, saying that Ireland will no longer say to women, “Take the boat” or “Take the plane” when they need an abortion. Instead, he said, Ireland will say, “We are with you. We will continue to stand up for your human rights, and we won’t stop until you get them”?

Stella Creasy: I thank my hon. Friend for her intervention. Yes, the UN has criticised us. So too has the Northern Ireland Human Rights Commission, which this week brought an appeal to the Supreme Court, so that it can rule on whether the situation in Northern Ireland breaches the European convention on human rights.

It is worth remembering when we talk about Northern Ireland that the UK committed alongside Ireland in the Good Friday agreement to uphold the human rights of all citizens in Northern Ireland. It is that commitment that we are asking the Government to honour. The Good Friday agreement was the basis for institutions being obliged to comply with those obligations under the Human Rights Act 1998, but without the institutions that exist in Northern Ireland, those rights are not being upheld.

Michael Fabricant (Lichfield) (Con): I am grateful to the hon. Lady for giving way, and I too congratulate her on securing the debate. Does she agree that it is surprising but rather wonderful that the Republic of Ireland is leading the way on this and also on gay marriage, and that, notwithstanding devolution, Northern Ireland should look now to the south and say, “They are leading the way, and we should follow”?

Stella Creasy: I would like to join my colleague in his remarks. I hope he was a supporter, as I was, of the wonderful work that my hon. Friend the Member for St Helens North (Conor McGinn) did on making the case for equal marriage in Northern Ireland—a case that I wholeheartedly supported, and I hope the Government will too. Devolution, even when it is
functioning, does not relieve this place of our responsibility to uphold human rights, whether in Northern Ireland or elsewhere.

Carolyn Harris (Swansea East) (Lab): My hon. Friend will know that, as a Welsh MP, I respect devolution more than most, having to live it every day of my life, but this issue and that of equal marriage in Northern Ireland deserve to be tackled in the here and now, and devolution should not be used as an excuse to deny women the right to abortion and to prevent equal marriage. This is 2018. Both these issues are contemporary, and they are about equality and basic human rights.

Stella Creasy: As ever, I agree completely with my Welsh comrade.

This outdated legislation is not just having an impact in Northern Ireland, and that is why this is a matter for the whole House. Women across England and Wales are also buying pills online rather than seeking repeated visits to doctors. One study showed that in a four-month period last year, 500 British women attempted to access abortion pills from one online supplier alone and so would be liable to prosecution under this archaic rule. This situation is not simply about Northern Ireland. It is about legislation that this House has passed, and that is why this House must act.

I want to be very specific today about what I am proposing, because I understand that there are concerns.

Lady Hermon (North Down) (Ind): I am very grateful to the hon. Lady for giving way. This is of course a very, very sensitive and controversial issue, particularly in Northern Ireland. I need to reflect to her the fact that I have received a large number of emails from constituents who feel that MPs at Westminster are usurping the powers and responsibilities of the Northern Ireland Assembly during a period when we have not had a functioning Assembly—I wish we did have one, and I look to my colleagues on the Democratic Unionist party Benches and urge them to get the Assembly up and running again. How can the hon. Lady reassure my constituents that today’s very important debate does not undermine the devolution settlement in Northern Ireland?

Stella Creasy: I thank the hon. Lady for her question and absolutely wish to take up the challenge that she presents, because I completely respect the point of view that she puts forward. Let me therefore make some briefings from some anti-choice organisations that suggest otherwise. We are not intending to amend or repeal the Infant Life (Preservation) Act 1929, which covers and still has the power to criminalise abortions after 24 weeks of pregnancy. Decriminalising abortion up to 24 weeks of pregnancy would mean that the Abortion Act 1967 became redundant before 24 weeks of pregnancy. As abortion before 24 weeks of pregnancy would no longer be a crime, we would no longer need the 1967 Act to act as a defence for women who had sought such an abortion. However, the exemptions that the 1967 Act provides for termination post 24 weeks would remain, and the 1967 Act would provide exemptions to prosecution under the Infant Life (Preservation) Act—for example, in cases of severe foetal abnormality or where the mother’s life is at risk. That might seem complicated, so let me put it as simply as possible: the time limit would not change, nor would the important role of medics in this matter.

I respect and recognise that some people do not consider abortion a human right and so think the criminal approach is the right response. I recognise that for many more, it is not that that worries them, but the constitutional issues at stake. Even though the Good Friday agreement explicitly retained human rights responsibilities for this place, let me reassure those MPs who want to uphold the role of devolved Assemblies that repealing OAPA would not write a particular abortion law for anyone, but would require them to act. This proposal would respect devolution; it would not reject it.

Angus Brendan MacNeil (Na h-Eileanan an Iar) (SNP): I just want to be absolutely clear. I think the hon. Lady is suggesting that Northern Ireland has UK abortion at 24 weeks, not Republic of Ireland abortion at 12 weeks. Is that correct?

Stella Creasy: Let me reassure the hon. Gentleman: I am not proposing any particular law. What we are talking about is repealing the existing UK legislation that requires Northern Ireland law to act in a certain way. Doing so, unlike imposing a referendum or extending the 1967 Act, would be in line with our human rights responsibilities, which is why the United Nations has asked us to do this, and it would not impose a specific outcome on Northern Ireland.

Liz Saville Roberts (Dwyfor Meirionnydd) (PC): Will the hon. Lady explain how, and does she agree with me that, repealing these provisions in the Offences Against the Person Act would actually give more powers to the devolved bodies?

Stella Creasy: Absolutely. The hon. Lady—my colleague in writing this proposal—is absolutely right. It simply means that the Northern Ireland Assembly, if it is reconstituted, cannot ignore this issue, because there would be a gap that then had to be filled by medical regulation.

Wera Hobhouse (Bath) (LD): Will the hon. Lady give way?
Stella Creasy: If I may, I would like to make a little progress, because I realise some of this is quite technical.

I want to set out very clearly why a referendum would not be the right approach. Those who are suggesting it need to be clear about what the question would be. What would they consult the public on, and who would write the question? If the law were passed, who would then implement it? Indeed, if we had a referendum on bringing abortion rights or a particular form of abortion to Northern Ireland, would we also allow a referendum on other contested issues, such as the Union itself?

I may not share the views of my colleagues from the DUP about a woman’s right to choose, but I find myself in agreement with the right hon. Member for Lagan Valley (Sir Jeffrey M. Donaldson), who wrote to one of his constituents saying, “inevitably it is” Westminster “politicians who have to make the call on this”.

He recognises that “this law applies across the whole of the United Kingdom and not just Northern Ireland”. so it is right for MPs in this House to consider whether repealing sections 58 and 59 of OAPA is the right thing to do. I also note that he recognises and acknowledges that “there is no substantive support among the local political parties”—in Northern Ireland—“for extending the 1967 Abortion Act”, because people would like to be able to write their own legislation. By repealing these provisions in OAPA, we will make that a possibility, and we will therefore make that a possibility in England and Wales as well.

Wera Hobhouse: Just to be absolutely clear, does the hon. Lady agree that repealing the provisions in the 1861 Act allows us to adhere to the devolution settlements and to respect women’s right to choose? They are not contradictory.

Stella Creasy: Absolutely. Indeed, this is in line with respecting the work that has been done in the Northern Ireland Assembly, when it was constituted, on abortion rights. Working parties had started to look at the kind of medical regulation that might be required. Because there is no Assembly at the moment, those rules cannot be taken forward. However, even if there was an Assembly, OAPA—unless these provisions are repealed—would define that conversation.

Ian Paisley (North Antrim) (DUP): The hon. Lady will of course know that when the Assembly debated this matter in 2016, it totally rejected the proposals she is making to the House. Does she agree with me that removing sections 58 and 59 means there would be no regulatory framework whatsoever in Northern Ireland to govern legal abortions. A massive hole would be left in the law in Northern Ireland, and there would be no right for medical practitioners to exercise their conscientious objections.

Stella Creasy: I thank the hon. Gentleman for his intervention because it is helpful for people to understand how the DUP interprets the situation. I obviously interpret it differently. I look to what happened in the Assembly, when the DUP argued that the idea, in relation to fatal foetal abnormality, required proper consideration—the DUP did not reject it—and, indeed, set up a working party, which has just issued a report on how conditions leading to access to a medical abortion may occur. I therefore do not think that the idea that this was rejected out of hand by the Assembly is fair.

I would gently highlight to the hon. Gentleman that there have been two Assembly elections since then, so there is no guarantee that the view of the Assembly would be the same as the view in 2016. The argument he is making is precisely for the Northern Ireland Assembly, or indeed for the civil servants, to fill the gap, rather than against the gap being created, by repealing this UK legislation.

Let me be clear to other Members in the Chamber who may have heard the suggestion that there would not be any safeguards—

Karen Lee (Lincoln) (Lab): Will my hon. Friend give way?

Stella Creasy: If I may, I will continue—

Karen Lee: It is one sentence on that point.

Stella Creasy: Then I will happily give way, because I would love to hear what my hon. Friend has to say.

Karen Lee: Directly before entering the House, I actually worked for two years in gynaecology clinics, one of which was for terminations of pregnancy. If a doctor has a conscientious objection, they do not have to sign certificate A; they can come out of the process and not do so.

Stella Creasy: I thank my hon. Friend for her contribution to this debate, which is much welcomed.

Let me reassure Members that, as for every other medical procedure, there are safeguards that are not in OAPA or even in the Abortion Act, but in existing medical regulation. Therefore, these safeguards would not change with decriminalisation. Indeed, the 1967 Act, which is supposed to safeguard women, says nothing about informed consent and is entirely silent on these issues. Clinicians are required by law to obtain informed consent before performing any medical procedure, or risk criminal sanction. We are asking for abortion to be subject to exactly the same medical regulations as all other procedures. By repealing these provisions in OAPA we, as the UK Parliament, can show women across the UK that we trust them with their own healthcare, wherever they live. We can also show that we trust every legislature, including in Northern Ireland, to create modern abortion laws. The crucial issue for those of us who support decriminalisation is: when can we do this? For me, that is the question for Ministers today.

David Simpson (Upper Bann) (DUP): Will the hon. Lady give way?

Stella Creasy: I will happily give way one more time, but then I really want to make some progress.

David Simpson: The hon. Lady has mentioned that this is very technical and that there is a lot of legislation to go through, but may I ask her one small question? In her aims and objectives in all this, where do the rights of the unborn child and the life of such a child come in?
Stella Creasy: If I may, I will happily come on to the question about rights and to the moral debate on abortion. I recognise that there are different opinions within the House and indeed within Northern Ireland on this issue, which is why this is not a partisan issue. If I may, I will finish my point and then come on to exactly that.

The Government are currently consulting on the domestic abuse legislation. Indeed, I previously met the former Home Secretary to discuss this and the opportunity that Bill presents for us to make progress. I understand Ministers’ concern to stop abortion being used to control women, so their interest in OAPA in relation to this legislation was perhaps different from mine. I would also highlight to Ministers that the Serious Crimes Act 2015 criminalises controlling or coercive behaviour in family or intimate relationships. I would argue that the men prosecuted under OAPA for intentionally causing the loss of a wanted pregnancy could well have been prosecuted under the existing assault law.

Furthermore, organisations like Women’s Aid and End Violence Against Women both support decriminalisation, because they recognise that current criminalisation puts vulnerable women at risk. A study has shown that one in five women who bought pills online did so because they were in a violent or controlling relationship. We do not protect women by criminalising them. That is why so many medical bodies are also calling for decriminalisation; the royal colleges and the British Medical Association are just some of them. Indeed, the president of the Royal College of Obstetricians and Gynaecologists has argued that the legal situation in Northern Ireland means its healthcare professionals “struggle to provide” the support they would like to give women who need an abortion or to manage any post-abortion complications safely. We also know that this is the view of the Northern Irish public. The majority—whether individuals from any particular political background, religious background, age or ethnicity—would like abortion to be managed as a medical rather than a criminal issue.

I have respect for people who hold a different view on abortion itself and the role that it plays in equality, but I see abortion as an equalities issue, because men and women will never truly be free while one cannot control what happens to their own body. Indeed, as the residents of Gilead have shown us, that is fundamental to human rights. I therefore make no apology for putting the safety and dignity of women first, as part of equality between the sexes.

I know I will get abuse online for saying so because, frankly, women get the blame whatever we do in such situations. Indeed, judging by the emails I have had today, it is either my or my mother’s fault. I made the mistake that many MPs make of actually reading my emails today:

“You views are a disgrace to humanity and the betrayal of the truly innocent. Woman can always say no or keep their clothes on!”

“You madame were once an Embryo, You madame were once a fetus in your mother’s womb; You were once a PRE-BORN baby.”

“I wonder what decision you would have wanted your mother to make about your life or death had she been given the opportunity in the months before you were born?”

I respect those who disagree with abortion on all grounds as a matter of faith, and I make this simple point to those who think only of the extremes: if they support access to abortion only in cases of rape, incest or fatal foetal abnormality, in essence their concern is more about the manner in which a woman became pregnant than about abortion. Why does it matter if we trust women and give them the chance to control their own bodies rather than being forced to continue an unwanted pregnancy? Because it is about freedom. So shout at me all you want—this is not Gilead, and we should not be frightened to speak up for the equal rights of women. Not to do so is to put women’s lives and liberation at risk.

The truth is that, in 2018, we still do not trust our own women. This is the one healthcare decision that no UK woman can make on her own. That is why the UN has called on us to repeal these specific sections of law; no Assembly, nor indeed this place, can make any progressive law for itself on this subject without doing so. In supporting this proposal, every Member can send a message that, in 2018, all the women of the UK deserve to be treated as equal citizens.

Jo Stevens: Will my hon. Friend give way?

Stella Creasy: I am just about to finish, so I will not.

One hundred and fifty years is a long time to wait for social justice, so let us not wait anymore. Today we ask the Minister to commit to a timetable for when the will of the House can be tested on this issue, so that rather than waiting 150 years, we wait at most 150 days before we see change—so that we truly get, in the 21st century, 21st century laws. The “d” today is for the debate, but we must have time for the other “d”: decision making, to bring dignity to all our constituents. I ask the Ministers: give us a date.

Several hon. Members rose—

Mr Speaker: Order. On account of the heavily subscribed character of the debate, I am afraid that it will be necessary to begin with a limit of six minutes on Back-Bench speeches.

3.1 pm

Mrs Maria Miller (Basingstoke) (Con): I apologise to the House for the fact that I have to leave this debate early, but I could not resist the impassioned call of the hon. Member for Walthamstow (Stella Creasy) for a debate yesterday and the opportunity to take part in it today.

The issue deserves a debate. We should never be afraid to say what we think in this place, particularly on issues of conscience. We need a change. In 2016, 724 women from Northern Ireland travelled from there to England for abortion care. I think that it is wrong that women in Northern Ireland do not have the same access to abortion as my constituents do. I would like to thank Annette Service, the manager at the British Pregnancy Advisory Service in Basingstoke, for writing to me with her impassioned plea for change in this area.

I believe that the situation should not exist. The fact that the same rights are not available in one of the four parts of the UK—not even when it comes to fatal foetal abnormalities, rape or incest—is difficult to understand. Why, oh why was it decided in 2003 to devolve this sensitive matter, which relates to international obligations, mentioned by the hon. Member for Walthamstow, such as the convention on the elimination of all forms of
discrimination against women and the Istanbul convention? It is difficult to understand, even from the Hansard report, the rationale behind why that was done in this way. In many ways, it feels as though the rights of Northern Irish women were traded as part of the devolution settlement.

People in Northern Ireland want change. The Northern Ireland Assembly has acknowledged that and the Department of Justice report, issued in 2015, stated clearly that there was a pressing need to change the criminal law to provide terminations in clearly defined circumstances. The general public want change. The latest Amnesty International poll suggests that 68% of Northern Irish people feel that people should not be punished if they have an abortion. Professional bodies want change, including the Royal College of Midwives and the Royal College of Obstetricians and Gynaecologists.

Michael Fabricant: Does my right hon. Friend think the time has come for a referendum on this subject in Northern Ireland, just as there has been in the Irish Republic?

Mrs Miller: My hon. Friend has brought up an important issue, to which I will come in a moment. There may be a way for people in Northern Ireland to express their views at a time when they do not have a functioning Northern Ireland Assembly.

I was talking about people who are calling for change—whether at the Northern Ireland Assembly, at the Department of Justice, among the general public or in professional bodies, or, as the hon. Member for Walthamstow mentioned, in the courts, which are also considering the need for change; a case before the Supreme Court will be decided shortly.

Ms Angela Eagle (Wallasey) (Lab): The right hon. Lady is making a powerful case for change. What does she now believe to be the best course for her Government to take to facilitate a decision in this area?

Mrs Miller: I thank the hon. Lady for her intervention. I will come to that issue in the short time that I have left. I commend the hon. Member for Walthamstow for bringing this issue before us today, but the House must understand—and she made this clearer today than during her intervention yesterday—that repealing sections 58 and 59 of the Offences Against the Person Act 1861 would have profound impacts for the whole United Kingdom. I am not saying that those changes could not be strongly argued for, but I believe that today’s debate is about the situation facing women in Northern Ireland. We need to make sure that we are focusing on that in particular, because although decriminalisation is an option—the hon. Lady is right—it is not the only option for improving the situation for women in Northern Ireland. I want to draw on three particular issues.

First, is there a disconnect between public opinion and the policies being pursued in Northern Ireland? What progress has been made on the ground and what action, if any, can the Government take to make sure that, if progress is lacking, things can be done to rectify that? When I read the research—I also read the consultation, which was extensive and thorough—I thought that a strong argument could be made for a call for change to be inherent in the community in Northern Ireland. I do not represent that community; as I look at Northern Ireland Members, I hope that in their contributions they will explain why there is an apparent difference between the public opinion being offered to us and the approach being taken to date by the devolved Administration. I deliberately tread carefully and respectfully on this matter. I truly believe that we should not start any changes here that would make people feel disfranchised as part of this process.

Secondly, we have to recognise that a great deal of progress has already been made; there has not been much detail about that so far in this debate. There was the consultation in 2014 and the report in 2015 mentioned “a pressing need” for “change to the criminal law…to provide for lawful termination of pregnancy….in…clearly defined circumstances”.

That has already been called for. In 2016, legislation was introduced by the then Minister for Justice to bring about some of those changes. In 2018, just last month, a report from a working group on fatal foetal abnormalities again recommended that change should come in.

Change is called for. What can we do today to try to make sure that the absence of an Executive and an Assembly does not stand in the way? There are clearly opportunities with the case that is going through the Supreme Court, and I hope that the Minister is able to share with us more about the Government’s feelings on that. Perhaps the Minister can also talk about the action that can be taken in the absence of an Executive, to continue the deliberations and the important detailed work needed in this place.

Joanna Cherry (Edinburgh South West) (SNP): Will the right hon. Lady give way?

Mrs Miller: I will not, if the hon. and learned Lady will forgive me.

I simply do not believe that no action will be taken when the Northern Ireland Assembly is formed again, but if none is, what can the Government do to ensure that there are no potential breaches of international conventions such as the ones I have already talked about?

This place legislated to devolve powers on abortion to Northern Ireland. We cannot ride roughshod over that, and we have a responsibility to uphold the law. Equally, the lack of a functioning Assembly hampers progress. Westminster has a right to disagree with the Assembly and the actions that it has taken, and this debate should be a vigorous exploration of all those arguments. But we have clear international responsibilities to outlaw discrimination against women. We need to make sure that we, as Westminster parliamentarians, are doing for that for women in the four corners of the United Kingdom.

3.9 pm

Sir Jeffrey M. Donaldson (Lagan Valley) (DUP): I welcome the opportunity to speak in this debate as a Member of Parliament, having represented my constituency for 21 years. I think that when people look at me they think I have a disconnect with the people I represent. Frankly, I would not have been returned to this House for my sixth term
in Parliament if I was so disconnected from the people I represent. I am their voice in this House and I respect the voices of others, but the voices of the elected representatives from Northern Ireland should be heard in this debate.

This issue is one of great sensitivity, which deeply divides opinion both in this House and beyond, including in Northern Ireland. The subject of abortion incites strong and passionate responses for understandable reasons. I take part in this debate with that reality firmly in mind. My party has been from its very inception a pro-life party. We believe that law and policy in Northern Ireland should affirm and uphold the rights of both mothers and unborn children.

We have not been alone in Northern Ireland in upholding that stance. Politicians across the political divide and religious spectrum in Northern Ireland—as in other parts of the United Kingdom—have, and continue to hold, a similar view to the DUP. This includes both Unionists and nationalists in Northern Ireland, and people of all faiths and none. The nationalist parliamentarian, the former hon. Member for Foyle, Mark Durkan, spoke eloquently in this House in defence of the pro-life position. Some of the best proponents of the pro-life position in Northern Ireland have come from the republican tradition, such as Francie Brolly, a former Member of the Legislative Assembly, and his wife Anne, a former mayor of Limavady. Both are Sinn Féin representatives who hold a pro-life position. The idea therefore that the only party in Northern Ireland that is pro-life and holds this view is the DUP is a nonsense that betrays an ignorance of the political situation in Northern Ireland and of the views of political parties that I encourage Members to acquaint themselves with more closely.

**Liz McInnes (Heywood and Middleton) (Lab):** Is the right hon. Gentleman aware that in countries where abortion is legally restricted there are 37 abortions per 1,000 women and that where abortion is regularly available there are 34 abortions per 1,000 women? Restrictive abortion laws do not prevent women from seeking abortion; they only endanger women’s health and lives as they seek unsafe procedures. That is not pro-life.

**Sir Jeffrey M. Donaldson:** I beg to differ with the hon. Lady. Research in Northern Ireland shows that since the introduction of the Abortion Act 1967 here, 100,000 people in Northern Ireland are alive today because we have a law that respects the rights of both women and unborn children. That is the pro-life position. The idea that in Northern Ireland today we have a law that respects the rights of both women and the unborn child. We will maintain that position.

Contrary to some of the claims made by some in favour of liberalising the law in Northern Ireland, the law in Northern Ireland has been shown to reduce the number of abortions in our jurisdiction. That is a fact. The Both Lives Matter campaign, which has been very effective in Northern Ireland, demonstrated with its research that that is the case. For that reason, I am very thoughtful about any change in the law in Northern Ireland. Furthermore, we have long argued that it is for the people of Northern Ireland, through the Northern Ireland Assembly, to decide what the law on abortion should be. I very much respect the points made by the right hon. Member for Beaconsfield (Mrs Miller) in that regard and we thank her for that acknowledgement.

This House made a decision in 2008 to devolve to Northern Ireland policing and justice powers, as the right hon. Lady reminded us. This House took that decision, which included the power to decide what the law on abortion in Northern Ireland should be. The Labour party was in power at that time and took that decision. I remind Labour Members that they do not contest elections in Northern Ireland. If they want to test the waters on this issue, we invite them to come and put their views forward and to contest elections in Northern Ireland. We are a functioning democracy. I might point out that its sister party in Northern Ireland is a pro-life party.

For our part, the DUP stands ready to take its place in both the Assembly and Executive today and without preconditions. We are ready to take on responsibility for governing Northern Ireland. We stand ready to work with the other parties to take decisions on sensitive issues like abortion, to arrive at an outcome that reflects the will of the people of Northern Ireland, respecting the rights of both women and unborn children and upholding the principle that both lives matter.

**Emma Little Pengelly (Belfast South) (DUP):** Does my right hon. Friend agree that although there are deeply sensitive issues we must consider in Northern Ireland, such as life-limiting conditions also referred to as fatal foetal abnormality, this proposal would impose on the people of Northern Ireland one of the most liberal abortion regimes anywhere in the world: abortion on demand up to 24 weeks in the absence—this is a fact—of a regime or guidelines? Currently, they do not exist, and if this measure went ahead, there would be nothing there apart from legality and decriminalisation up to 24 weeks.

**Sir Jeffrey M. Donaldson:** I thank my hon. Friend. Friend for that intervention. In truth, if what is proposed under this motion was to actually happen, it would have dramatic consequences for Northern Ireland. That is absolutely clear and I think even the mover of the motion acknowledged there would be a very significant gap. We need to have this debate in Northern Ireland: a reasoned debate that engages the political parties and civil society, so we can collect the voices and come to a decision on how best to proceed with regard to the law on abortion. In the Northern Ireland Executive, the DUP supported the establishment of the expert working group, which has now published its report specifically on the question of unborn children diagnosed with a life-limiting condition. We are considering that report, which has recently been published, and the key recommendations it makes.

This is a very sensitive area and women in receipt of such devastating diagnoses deserve our utmost sympathy and our support. No one could fail to be moved by the harrowing cases of those who have found themselves in such tragic circumstances. We want to develop a new Northern Ireland-wide service for women in those circumstances to ensure that they receive the best information, advice and co-ordinated care and to ease
their journey through our healthcare system. I am keen to ensure that we enhance our perinatal palliative care, with a view to Northern Ireland becoming an exemplar in this area.

We want to listen to the voices of civil society. We want to listen to what people have to say—the voices of women like Sarah Ewart, who has spoken passionately about her own experience of pregnancy and abortion in the most difficult of circumstances and has argued for change in cases involving unborn children with life-limiting conditions. I also refer to the voice of my own constituent who wrote to me last evening on hearing about this debate:

“Apparently there is to be a discussion in the Commons on our abortion laws. As the daughter of a rape victim and an unrepresented Catholic I would ask that you take a positive pro-life stance and protect the most vulnerable in our society.”

There are strong voices on both sides of this debate. This is a devolved issue. It should be left to the people of Northern Ireland.

Mr Speaker: Before I call the Secretary of State for Northern Ireland, I remind colleagues that inexorably the time limit on Back-Bench speeches will fall if there are huge numbers of interventions—there will inevitably be interventions; they are part of the debate—and if Front Benchers, not so constrained, were inadvertently to dilate at excessive length. I know that they will not, because that would be uncollegial and they will not want to be uncollegiate.

3.19 pm

The Secretary of State for Northern Ireland (Karen Bradley): I start by welcoming the opportunity to take part in a debate on this incredibly important issue. I pay tribute to all hon. Members who secured the debate, and particularly the hon. Member for Walthamstow (Stella Creasy). She has campaigned on this issue for many years and I know that she will continue to do so. I always welcome the opportunity to hear her incredibly passionate and moving contributions.

I also apologise, Mr Speaker, because, as you know, I will need to leave the Chamber before the end of the debate. The Under-Secretary of State for Northern Ireland, my hon. Friend the Member for North West Cambridgeshire (Mr Vara), will be here throughout the whole debate, as will Ministers from Departments that cover a whole spectrum of the issues that we are debating today. If specific points need a response, I will ensure that I respond personally to those Members who make them.

I—and you, Mr Speaker—have listened very carefully to all the different views on this matter that have been expressed today and previously. It is clear that there is a range of views across the House. I am also aware of the personal stories that lie behind this issue. Abortion is a very sensitive issue, regardless of where people’s views lie. It is therefore important for us to debate this issue with due care and sensitivity, and that was why I stood yesterday to support the hon. Member for Walthamstow in securing the debate.

It has long been the case that abortion has been a matter of conscience in this House. It has been, and will continue to be, subject to a free vote. While I appreciate that the recent referendum in Ireland has undoubtedly reinvigorated the debate in Northern Ireland and throughout the rest of the United Kingdom, we have to be careful not to react without careful consideration.

Ian Paisley: Is the Secretary of State travelling to the point in her speech at which she acknowledges that what we are debating is not about Northern Ireland, because what is in front of us is a proposal that would fundamentally change forever the rules governing abortion across the whole United Kingdom? That should not be done in the heat of the moment following something that happened in a foreign jurisdiction—the Republic of Ireland.

Karen Bradley: The hon. Gentleman makes an important point. It is important to note that the proposals that we are debating would have an implication for the whole United Kingdom, but I will restrict my remarks to Northern Ireland, if he will forgive me.

Diana Johnson (Kingston upon Hull North) (Lab): I am grateful for the tone that the Secretary of State is adopting.

In the previous Parliament—in March 2017—the repeal of sections 58 and 59 of the Offences Against the Person Act 1861 was debated after I brought in a ten-minute rule Bill. There was a vote in this Parliament, and it was successful—the proposal had the support of the House. This issue has therefore been around for some time; it is not something that we are rushing to in haste.

Karen Bradley: I pay tribute to the hon. Lady. I know she brought forward her ten-minute rule Bill and that she feels passionately about the issue. I am merely making the point that, as Northern Ireland Secretary, I am looking at this in the context of Northern Ireland. There is a wider debate—that is why Ministers from the Departments affected by the issue of abortion are in the Chamber—and it is extremely sensitive. There are many strongly held views across all sides of the debate, and particularly across all sides of the debate on abortion reform in Northern Ireland.

Let me turn to the referendum in Ireland. It was undoubtedly a significant moment in the history of that country, but its read-across to the situation in the United Kingdom has to be treated with care. On 25 May, Ireland voted to repeal the relevant article of its constitution, commonly known as the eighth amendment, which since 1983 has given unborn foetuses and pregnant women an equal right to life. The referendum followed many years of debate and discussion in Ireland, and the process is not yet over. Although a significant majority supported repeal, the proposal now needs to be debated and passed by both Houses of the Irish Parliament to determine what type of reform works best for Ireland. It is important to be clear that what we witnessed was specific to Ireland, where a change to its written constitution requires a referendum.

Lloyd Russell-Moyle (Brighton, Kemptown) (Lab/Co-op): Is not the experience in Ireland a perfect example of what this proposal would do? It proposes removing the bar—the criminal offence—and then allowing a debate in this place and other devolved areas about how abortion could be regulated. Is that not where we should be going, rather than restricting?

Karen Bradley: Today’s debate is undoubtedly about whether that is the right approach, but I want to be clear that, in the Republic of Ireland, a referendum is required for constitutional change. That is not the situation...
Karen Bradley: I will now make some progress, but I did want to hear from the hon. Lady, given that she secured the debate.

Turning to the situation in Northern Ireland, I am aware that a number of voices are calling for reform, including those of the women and girls most affected, but it is clear to me that there is currently no consensus on what that reform should be, even among those who want to see change in Northern Ireland. For example, there are those in favour of extending abortion in cases of fatal foetal abnormality, or of rape and incest, but others want to extend the laws that apply here to Northern Ireland. There are a number of views, and we have to consider them all respectfully. Of course, all sides in the debate need to be listened to with courtesy and respect.

Abortion has been a devolved matter in Northern Ireland since it was created in 1921, and it would not be appropriate for Westminster to seek to impose its will, or to be the arbiter of an issue that has long been devolved to the people of Northern Ireland. The Government believe that the question of any future reform in Northern Ireland must be debated and decided by the people of Northern Ireland and their locally elected, and therefore accountable, politicians.

Lady Hermon: I am listening attentively to the Secretary of State. She says that change takes time—it does—but I ask her to think carefully about the number of women who are compelled to leave Northern Ireland and to go to Scotland and England for an abortion, and who might in the future be able to go to the Republic of Ireland for an abortion. There are also women who access desperately dangerous pills online. What is she saying to those women? How long must we wait for change?

Karen Bradley: The House determined that we should provide support for women to travel to Great Britain to receive abortions. Personally, I want to see reform in Northern Ireland, but it is a matter for the people of Northern Ireland.

Joanna Cherry rose—

Karen Bradley: I am going to make progress, but I will hear the voice of Scotland.

Joanna Cherry: This is not a Scottish-specific point, but a point about the Supreme Court, which is due to rule on Thursday. My understanding is that if it rules that the situation in Northern Ireland is incompatible with the European convention on human rights, it will be the responsibility of the UK Government to act under section 26 of the Northern Ireland Act 1998 because it is the UK Government who have the responsibility for fulfilling international treaty obligations. Is my understanding correct?

Karen Bradley: I apologise. I realise the right hon. Lady is not the only voice of Scotland—we will hear many others today. I will not prejudge the Supreme Court decision. We will receive the judgment on Thursday, we believe, and when we have it, we will consider it carefully.

I will return to the question of Northern Ireland. This is a matter of conscience. A free vote will be afforded if the matter of abortion comes before the
House again, and the same applies in Northern Ireland. That is why this Government, like their predecessors, believe that the best forum in which to debate and resolve these and many other matters is the locally elected Northern Ireland Assembly. The Government’s priority therefore remains to urgently re-establish strong and inclusive devolved government at the earliest opportunity. As Secretary of State for Northern Ireland, I want to ensure that any future reform is handled with due care and consideration, with locally elected and locally accountable politicians having the opportunity to consider and debate the issues, and the people of Northern Ireland being able to contribute to the debate on the devolved issues that affect their lives.

Stella Creasy rose—

Karen Bradley: I will give way, but only because it is the hon. Lady, and then I will make progress.

Stella Creasy: I agree with everything the Secretary of State has just said. Will she explain why she thinks that repealing sections 58 and 59 of the Offences Against the Person Act would not allow that to happen? We think that it would.

Karen Bradley: As I have said, this is a matter that would affect the whole United Kingdom, so a debate should be had in the context of the whole of the United Kingdom, with all those matters looked at.

Just as we have debated in this House the laws that ought to apply here, so the democratically elected Assembly in Northern Ireland must continue to consider this fundamental issue, listening to the views of the people of Northern Ireland. Otherwise, as my right hon. Friend the Member for Basingstoke (Mrs Miller) suggested, we will be in danger of disfranchising 1.8 million citizens of the UK.

Several hon. Members rose—

Karen Bradley: I am sorry, but I want to make some progress. Many Members wish to speak and I want to make sure that everyone has the chance to do so.

My focus is therefore on working closely with Northern Ireland’s political parties to restore the devolved government that the public want. That remains my top priority. I also want to continue to hear from those in civil society on all sides of the debate, as I am deeply sympathetic to the cases being made.

My right hon. Friend the Prime Minister has been clear in her support for women’s rights in respect of access to safe abortions. She welcomed the referendum result in Ireland. We agree that the best way forward for Northern Ireland is through locally accountable politicians making important decisions through devolution, and the people of Northern Ireland having their say on the devolved issues that affect their daily lives.

Like the Secretary of State, I will concentrate on the situation in Northern Ireland. The referendum in the Republic 10 days ago has not altered the constitutional situation anywhere in the UK, including Northern Ireland, but it has most certainly changed the conversation, and we have to take that into account. One thing I want to establish is this: yes, we can discuss the legalese of sections 58 and 59 of the 1861 Act and talk esoterically about human rights—I do not mean to trivialise those points—but in the end this is about people. It is about women such as Sarah Ewart, to whom the right hon. Member for Lagan Valley (Sir Jeffrey M. Donaldson) referred. She had the most immense difficulty on discovering that the baby she was carrying would be born with no skull and could not survive the birth. Having received chronically bad support from the medical profession in Northern Ireland, she had to travel to England in the most difficult circumstances for a safe and lawful abortion. Cases such as that ought to condition the way in which we see this issue. It is about people. It is about women in distress.

Like many other Members, I have seen the joy of happy pregnancy. I have seen it in my own family: one of my daughters gave birth earlier this year. What a great moment that is. However, I have also seen the downside—the tragedy of people who know that the foetus that they conceived in hope is born to die, and the situation of women who have become pregnant as a result of rape. We must take those elements on board and recognise the humanity involved. I do not doubt the legitimacy of the arguments that anyone else presents and wishes to pursue, but I am determined to stress that there is a human being behind every one of these situations. We must remember that as we debate these matters.

The hon. and learned Member for Edinburgh South West (Joanna Cherry) mentioned the Supreme Court’s decision. That decision will make a profound difference, but my party’s position has been very clear. In our manifesto at the last election, we said that we would seek to provide, in conjunction with the Northern Ireland Assembly, a legislative framework for safe, legal abortions for women in Northern Ireland who made that choice. That is where we want to see things happen—we want to see legislation introduced in the Stormont Assembly, and nothing that my hon. Friend the Member for Walthamstow said contradicted that. The legislation would demand change, but the Stormont Assembly would have the opportunity to create the necessary legislative framework for the people—particularly the women—of Northern Ireland.

That is important, but there is a challenge behind it. I think I heard the right hon. Member for Lagan Valley say that members of the Democratic Unionist party would return to the Assembly without precondition. I hope that that is the case, because there is now a real challenge for all the Assembly politicians. They must go back to the Stormont Assembly if they want to be taken seriously in this debate and on other issues. We cannot see a situation in which civil servants without an electoral mandate make decisions, so it is incumbent on the Northern Ireland Assembly Members to go back to the Assembly.

Nigel Dodds (Belfast North) (DUP): The hon. Gentleman is someone whom I hold in high esteem and for whom I have the greatest respect, but, as he knows—he does not have to hope; he knows—the Democratic Unionist party
would go into government tomorrow on the basis of what we agreed previously, and I understand that the Ulster Unionists, the Social Democratic and Labour party and the Alliance party would do so as well. The members of Sinn Féin do not want to do that without a precondition, but there is no doubt about our commitment to going into government, having the Assembly up and running, and debating all these issues. We no longer have a petition of concern veto in the Assembly. Those who shout loudest about wanting this issue to be resolved should get the Assembly up and running. We agree with that—they should get on with it.

Tony Lloyd: I am not sure whether the right hon. Gentleman has just undermined the “no precondition” point made by the right hon. Member for Lagan Valley. However, I think that in that context it would be very helpful if the Secretary of State now said to all the parties in the Assembly, “Let us get around the table and discuss abortion law reform.” If this issue matters, it must transcend some of the other issues that have caused blockage in the recent past. That, I know, is a challenge for Northern Ireland Members, in this Westminster Parliament as well as in the Assembly, but it is a challenge that politicians must take up. We must see the Assembly up and running: that is fundamental.

I mentioned the case that is before the Supreme Court, and the hon. and learned Member for Edinburgh South West was absolutely right to ask the question that she put to the Secretary of State. I cannot anticipate how the Supreme Court will respond to the case, but it turns on the question of whether it is compatible with our obligations under the European convention on human rights for women who are bearing children as a result of rape or incest, or children with fatal foetal abnormalities or who have been raped or in some ghastly incestuous relationship; it is about women’s rights and our right to control what we do with our bodies.

Tony Lloyd: I agree, and my voting record is clear on this issue.

Karen Lee: I thought that the hon. Member for North Antrim (Ian Paisley) was going to say something about abortions being “convenient.” I worked in clinics and counselled women, and I tell him that they are not done for convenience. Some of those people are utterly desperate by the time they get to clinics, and it would be very wrong to think that people treat abortions as a matter of convenience.

Tony Lloyd: My hon. Friend is absolutely right: this is not a matter of convenience. This is a heart-rending decision; many women whom I have spoken to over the years—I have represented many of them, but many others I have known in different ways—have had to go through the agonising decision as to whether abortion is the right choice for them. The decision should nevertheless lie with them, and laws should certainly not restrict that.

I want to emphasise what the Opposition and my hon. Friend the Member for Walthamstow are saying. The Labour party’s position—we are the Good Friday agreement party, we believe—is that we want to see devolved government work, but politicians in Northern Ireland have got to make it work on this issue. They cannot shy away from it; if this issue matters to the people they represent, they must be in the Assembly making laws on it for the people of Northern Ireland.

Many Members want to speak, so I do not intend to continue for much longer, but I want to conclude as I began. This is not, in the end, an issue about lawyers or even about the philosophy of abortion; it is about real people. It is about real women, very often in situations of distress, who are looking for the law to allow them to pursue something that is prevented in Northern Ireland at the moment. It ought to be unconscionable that a woman is made to continue bearing a child doomed to die. It ought to be unconscionable that a woman who provided her 15-year-old daughter with the capacity to terminate a pregnancy should still be facing criminal prosecution, as we have seen in a recent case. On that basis, humanity now cries out for a change in the law.

I congratulate my hon. Friend the Member for Walthamstow again on securing this important debate. It is not the concluding debate—no change in the law can be passed today—but even if we pass legislation to put the wording of the motion into law, other legal changes will still be needed both UK-wide and most definitely in Northern Ireland. This is devolution-compatible, and the politicians in Northern Ireland must now make that devolution work.

Several hon. Members rose—
Mr Speaker: Order. I fear that the six-minute limit on Back-Bench speeches will not last much longer, judging by how things are going.

3.45 pm

Dr Sarah Wollaston (Totnes) (Con): I should like to start by paying tribute to the hon. Member for Walthamstow (Stella Creasy) for all the work that she has undertaken in this area, and for bringing this debate to the House. The result of the referendum in the Republic of Ireland has been a great victory for women's rights to make decisions about their own bodies, but it has also thrown a stark spotlight on the situation of women in Northern Ireland. To my mind, it cannot be acceptable that in six counties of our United Kingdom, women are forced to make long, lonely journeys across the water or forced into the hands of the unscrupulous, or that they face criminal prosecution for making decisions that should be theirs by right. I believe that it is time for this House to act to protect their rights, as well as the rights of those everywhere else in the United Kingdom.

Jo Swinson (East Dunbartonshire) (LD): We heard earlier from the right hon. Member for Lagan Valley (Sir Jeffrey M. Donaldson) about the devolution of policing issues to Northern Ireland. Does the hon. Lady agree that the fact that we are talking about policing women's bodies is part of the whole problem? That is not the right context for this debate. Supporting women to take these decisions is a health matter and a medical matter, and no woman takes this decision lightly.

Dr Wollaston: Indeed. I could not agree more with the hon. Lady.

It is time for us to review the way in which we treat this issue and to move to a medical model. Since the 1967 Act, things have changed considerably, not only in social attitudes but in the availability of medical terminations of pregnancy. They were not available at the time of the Act. We have also moved on from the paternalistic attitudes that dictated that two doctors were the only ones who could be trusted to help a woman to take this decision. That completely negates the role of specialist nurse practitioners, who often undertake the role of counsellor in the clinics. It is an anachronism that we should still insist on two medical signatures.

Hannah Bardell (Livingston) (SNP): On the matter of paternalism, does the hon. Lady agree that comments about women having abortions as a matter of convenience are deeply offensive, and that this debate must be characterised by decency and by respect for the views being expressed across the House? I have supported friends who have had an abortion, and I know that nothing about what they have chosen to do has been about convenience.

Dr Wollaston: I thank the hon. Lady for making those points. If the House will forgive me, I am mindful that many Members wish to speak, so I will not take further interventions.

There is a further point about the impact of medical terminations of pregnancy using two medicines. Because of the restrictions of the Act, the second of those medicines currently has to be administered in the clinic, which means that women sometimes have to face the extreme indignity of travelling home with heavy bleeding and in considerable pain. It is time for the House to review the whole way in which this operates, and to shift to a medical model. We know that there is an opportunity to put this right with an amendment to the domestic violence Bill, and I say to Ministers that now is the time to plan ahead for that, rather than looking the other way and saying that this is purely a devolved matter. We know that a cross-party amendment will be tabled, and now is the time to be planning ahead and making the thoughtful, careful preparations that we need to make about the kind of medical regulations we wish to see in place.

Of course, there are those who say that repealing sections 58 and 59 of the Offences Against the Person Act 1861 will lead to us being thrown into some kind of vacuum, but that is not the case. The hon. Member for Walthamstow pointed out that the term limit of 24 weeks would remain in place, and there are other protections. For example, it is already an offence to supply abortion pills under the Human Medicines Regulations 2012, and individuals can face up to two years in prison and a considerable fine for supplying such medications illegally. Equally, some say that there might be a free for all in people turning to back-street abortionists, with unqualified people carrying out surgical procedures—it has happened in the past—but that is not the case. That would still constitute actual bodily harm or grievous bodily harm, and unqualified people would not be able to rely on the victim's consent to the procedure as a defence under sections 47 and 20 of the 1861 Act, which would remain in place. Such offences would carry a penalty of up to five years in a prison and a fine.

The point here is that it is highly unlikely that anyone would want to visit a back-street abortionist if free, safe, confidential and non-stigmatising help was available free of charge on the NHS. As many colleagues have pointed out, we do not stop abortions happening by criminalising them and making an abortion difficult to access; we just make them happen in a less safe context. I ask Ministers to start preparing for the inevitable cross-party amendments. I hope that the Minister in summing up will be clear that there will be no delay in the domestic violence Bill for fear of a controversial amendment, because an amendment will be tabled, and now is the time to ensure that all the regulations we need are carefully and thoughtfully consulted upon. As someone mentioned earlier, this process would allow the devolved Assemblies to decide what is right for their areas. The time is right for us to move from a situation in which women are criminalised to one where women are treated with respect and dignity.

Yvette Cooper (Normanton, Pontefract and Castleford) (Lab) rose—

Dr Wollaston: I will take one further intervention from the Chair of the Home Affairs Committee.

Yvette Cooper: I welcome the speech that the Chair of the Health Committee is making and her point that this is an opportunity to prepare and to consider such things in detail in anticipation of future legislation. Does she agree that the moving thing about the “Home to Vote” movement in the Republic of Ireland’s referendum campaign was that so many women said that they were
returning home to vote so that other women did not have to travel in future? They were making journeys so that other women would not have to do so.

**Dr Wollaston:** I absolutely agree. We were all deeply moved by the “Home to Vote” campaign.

Although the change happened in the Republic of Ireland, there are implications across the entire United Kingdom, because it has given us the opportunity to review what is wrong with the existing legislation. It is now time for the Government to plan ahead and to have a thoughtful process of ensuring that the regulations are right. I hope that this House will decide collectively to protect and respect the rights of women, wherever they live in this United Kingdom.

3.53 pm

**Deidre Brock** (Edinburgh North and Leith) (SNP): In the aftermath of the vote in Ireland, I saw a quote from a woman in Northern Ireland to the effect that she had the right to hold both UK and Irish passports and to be citizens of either or both, but she now did not have the right to choose that women in either jurisdiction have. That quote was third or fourth-hand by the time I saw it, but it seems to be an indicator of where many women in Northern Ireland find themselves. “Stranded” might be the best description of how they see their plight. Their plight is my plight, and their fight is my fight. If they suffer, I suffer, too. I stand with the women who feel themselves shorn of the rights they see across the border in Ireland and across the Irish sea.

I wonder, though, why this should be seen as an emergency debate. The referendum in Ireland did not change the conditions in Northern Ireland. Nothing has changed for women in Northern Ireland in terms of access to health services, except that they now have another geographically close comparison. Nothing has improved for them; nothing, happily, has got worse for them. Nothing has changed for them, more is the pity.

Yes, this is a very sensitive issue. Our sisters therefore deserve a little more consideration than a rushed debate. Who here, other than Members serving constituencies on the other side of the Irish sea, has any real perception of the issues and possible consequences surrounding abortion in Northern Ireland? I stand with my sisters in Northern Ireland, and I absolutely endorse their right to help shape the legislation they live under, but it is not for me or for Government to protect and respect the rights of women, wherever they have chosen to reside.

I hear those who say this is a human rights issue, and I agree. That is why we must leave the judgment on that in the hands of the Supreme Court, which has a duty to examine the reference from the Court of Appeal in Northern Ireland and will give guidance that must be followed. As we know, the judgment will be handed down on Thursday. We have two days to wait.

A little look at how Ireland approached amending its constitution would be instructive for many in this Chamber and, indeed, in the Chamber next door. Ireland’s move to allow abortion to be legislated for—that being the substance of the constitutional amendment, as has been pointed out—began with a citizens’ assembly. It was the people who had their hands on the tiller. This was no political campaign or activist-led agitation; this was people power from the start, and it should be a lesson to anyone who wants to effect major change. The details of the assembly are online at citizensassembly.ie, which I recommend to anyone who would like to think a little more about how nations should change direction.

As we have heard, Ireland is now free to choose whether to legislate to allow terminations, and I understand legislation is currently being drafted. Ireland does not yet have that law in place and, as the Secretary of State mentioned, the debate is just getting started. I note that the Taoiseach has indicated that allowing women from Northern Ireland to access such services across the border is being considered, and he points out that women from Northern Ireland regularly access other health services in Ireland and that there is no reason why they should be denied any new services.

We should not, however, think that Ireland’s legislation is done and dusted. The drafting is not yet complete, never mind its passage, but that legislative process is a matter for Ireland, for the Irish people and for the people they have elected to serve them. Likewise, the issue of abortion in Northern Ireland is a devolved matter and is an issue for the people of Northern Ireland and the people they elect to the Assembly. It is a matter devolved and, frankly, it matters not a jot whether the decisions made at Stormont, when it is sitting, are agreeable to Members sitting here. That is the point of devolution, a point that some Members of this place have been spectacularly slow to appreciate at times. The decisions of devolved Administrations are taken for reasons that people in those devolved nations understand from their point of view, and they are taken using evidence that the people, politicians and policy makers of those devolved nations consider important. That principle stands, and it can be seen in the way in which Scotland has led on public health issues.

**Stella Creasy:** In order to allow the residents of Northern Ireland to craft their own abortion laws, and so for that devolution process to be respected, will the hon. Lady be joining me and colleagues on both sides of the House in supporting the repeal of UK legislation that prevents Northern Ireland from doing this? Will she support the repeal of sections 58 and 59? It would be helpful if she were clear about that.

**Deidre Brock:** First, the Offences Against the Person Act does not apply in Scotland—some people seem not to be aware of that. Also, I understand that Stormont has been able to repeal sections 58 and 59 since 2010, and apparently it has chosen not to do so.

**Emma Little Pengelly:** What has been missed here today is that criminal justice is a devolved matter in Northern Ireland. The Northern Ireland Assembly has full power to repeal this in due course, if that is the decision of the Northern Ireland Assembly, in line with the new regulations. The Offences Against the Person Act does not act as a barrier. This can be done by the Northern Ireland Assembly.

**Deidre Brock:** I thank the hon. Lady for her contribution. I would also point out that the Criminal Justice Act
(Northern Ireland) 1945 still prevents abortion, with life imprisonment offered for those offering abortions. That is an added complication.

As we know, Stormont has not sat since January of last year, and I wish absolutely to condemn the cowardice of the politicians who cannot give enough ground, or cannot risk losing a little face, to get the show back on the road and start deciding on issues that affect the people they are paid to serve. I say that because this issue has been considered at Stormont: the need for legislation has been agreed at Stormont and a way forward has been laid out by a working group in Northern Ireland, as was mentioned by the right hon. Member for Basingstoke (Mrs Miller), who is no longer in her place. In a debate on the consideration of a justice Bill in February 2016, amendments were tabled that would have allowed abortions to take place in Northern Ireland in specific circumstances. Those were tighter than the conditions in place under the Abortion Act 1967, but they represented movement none the less. This followed a deal of public consultation undertaken by Ministers on the issues of fatal foetal abnormality, incest and rape. It is clear from what has been said today and from reading the transcript of that debate that there was not exactly a consensus that day, and the amendments were defeated—not overwhelmingly, but substantially.

One telling contribution that day was made by the then Member of the Legislative Assembly for South Belfast, who is now the Member for Belfast South in this place. In her speech that day, she said she was speaking on behalf of the Democratic Unionist party on the issue and she urged the Assembly to reject the amendments in favour of the DUP plan. She said:

"the DUP is rejecting the amendment but outlining a road map to a sensible, informed and appropriate way forward. The Minister of Health has been asked to establish, by the end of February, a working group that will include clinicians in this field and legally qualified persons to make recommendations on how this issue can be addressed, including, if necessary, bringing forward draft legislation. We have asked that all interested parties should be consulted and that the group will be tasked to report within six months. We all need to hear more fully the views of the Royal College and others. We all need the opportunity to ask those vital questions to get the appropriate advice. That is why the working group is the best and most appropriate way forward."

That working group has now reported and as the DUP is behind it, it surely has enough impetus to clear the hurdles of political impasse in Northern Ireland.

The report recommended a relaxation of the restrictions on abortion, citing the general duty of the Department of Health under the Health and Personal Social Services (Northern Ireland) Order 1972 to secure improvement in the physical and mental health of people living in Northern Ireland. The report pointed out, however, that legislative change is required for that to be done. The report is clear that

"the current practice results in inequality of outcomes for women in this particular patient population group when compared to the standards for treatment and care afforded to other pregnant women by Health and Social Care as required by the Department of Health’s Maternity Strategy."

It recommends changes in the law to allow abortions to take place.

The changes suggested would not go as far as the legislation here or in Scotland. Examining that was not the remit of the working group: it was examining only what legislative change was needed. The changes would not bring legislation into line with the rights and protections we have here and would not end women having the trauma of travel to a foreign jurisdiction for health treatment. The changes would not be the changes I would like, but they are the changes that the politicians of Stormont agreed to support. We have an obligation to respect the fact that the debate on abortion has not perhaps yet been won in Northern Ireland, but this small step can be taken while the debate continues.

Stormont should be reconvened and it should consider legislation on abortion, along with all the other responsibilities it has, but this is a devolved responsibility. Legislating here on a matter that is the responsibility of a devolved Administration is invidious, and the idea that Members sitting here can make decisions without any regard to the consequences is foolhardy. Stormont has not sat for far too long and that looks set to continue. It is a disgraceful abdication of responsibility on the part of elected Members. It is not sitting, but it has made this decision, and there is no reason why this place should not legislate to put that decision into effect. Stormont could always decide how to proceed when MLAs return to work.

Legislating here for abortion in Northern Ireland without the consent of the Northern Ireland legislature is not tenable, but consent has already been given for some change and we should implement that. We should press ahead and deliver that; a comprehensive review of the legislation can then proceed, with the people who would be affected front and centre. Too often, the rights of women are ignored and women are belittled. There is a moral obligation on the politicians of Northern Ireland to get back to work, engage with the people and move on. They can look to Dublin’s example for a way in which to start. There are decisions to be made, and hopefully they will lead to a full and proper health service for women, but I argue that that is not our decision. By all means we should legislate to put into effect the changes that have been decided, but we should not make decisions here that should more properly be made in Belfast.

I stand by the women of Northern Ireland and I stand with those who campaign for a full service, including a proper abortion service. They should be able to influence such decisions and have them made in their own legislature. Too often, the conceit is that this place knows best, but the re-imposition of direct rule on Northern Ireland is in no one’s best interests, let alone those of the women who need support and a decent health service. The DUP supports the change in the law that was agreed by Stormont; let us help it to deliver that change.

Several hon. Members rose—

Mr Speaker: I am afraid a five-minute limit on Back-Bench speeches now applies, with immediate effect.

4.5 pm

Justine Greening (Putney) (Con): Like many Members, I recognise just how important this debate on the incredibly sensitive and important topic of abortion is. It is obvious that there needs to be much broader debate about the various issues relating to abortion—not just about the people affected by the laws that are currently in place and some of the proposals that we are debating, but about the role of schools and of advice, education and support services and about some of the other hugely
controversial but important issues that wrap around the broader challenge of debating any changes to abortion law, not just in Northern Ireland but more broadly throughout the United Kingdom.

I recognise that we have in place very long-standing laws, particularly in respect of England. In this debate, we should not lose sight of the fact that we have been brought to this point by a clear anomaly between the rights that women have in one part of our country, Northern Ireland, compared with the rights of women throughout the rest of the United Kingdom, and by that difference having been exacerbated by the result of the referendum in southern Ireland, which means that we now see Northern Ireland as an outlier on women’s rights in a way that I feel is unsustainable for the United Kingdom.

I pay tribute to the hon. Member for Walthamstow (Stella Creasy) for securing this emergency debate, which it is important to have in this Chamber. As she would recognise, this House has managed to achieve progress for women in Northern Ireland, not least by introducing the ability for them to travel to the UK—to England in particular—and to have free abortions in the same way as any English woman. That is true progress, but today we seek to talk about how we can further push forward on rights for women in Northern Ireland.

The question is how to push forward. I am open-minded about this debate. I very much recognise that ideally we would all like the people of Northern Ireland to put in place the changes we are discussing, but we also recognise the current absence of an Assembly and normally functioning devolved government in Northern Ireland. I am sure we will have further debate on how we can achieve change for the women of Northern Ireland, but handling this issue in the right way in respect of devolution does matter, and we in this House should be sensitive to that.

I am open-minded about the broader changes that we are debating. We need to recognise that they are somewhat complex and multifaceted, and they need to be understood by Members from all parties and, indeed, by our local communities, too. It is important to set out how wide—or, indeed, otherwise, as has been argued today—any changes to medical regulations might need to be, as well as the process of consulting our communities about changes that would affect how abortion is regulated in the United Kingdom.

I recognise the important case made by the hon. Member for Walthamstow and, indeed, the case made by my right hon. Friend the Member for Basingstoke (Mrs Miller), who set out carefully and clearly the impact on women in Northern Ireland and throughout the United Kingdom, given the existing criminalisation of abortion. I support a continued debate in this House. [Interruption.] I recognise that many other Members wish to speak in this debate today. It is important that, in the coming weeks and months, Ministers clearly set out how they plan to respond to the crucial debate for women’s rights that will be taking place in this House.

4.11 pm

Catherine West (Hornsey and Wood Green) (Lab): For a very long time, in many societies and in many cultures, the state and organised religion have had a stranglehold over the lives of women. That is why it was so pleasing to see the landslide vote to repeal the eighth amendment in the Republic of Ireland. Women in Northern Ireland will soon be the only women in the UK and Ireland who cannot gain safe access to abortion.

We know that hundreds of women in Northern Ireland either travel or take risks with their own health to have a termination. We cannot stand by here while women and girls in any part of the UK are criminalised or put at risk for accessing basic healthcare.

Angus Brendan MacNeil: The hon. Lady alluded to the stranglehold that the state can have over people’s lives, and one of the biggest strangleholds that the state currently has over people’s lives in the UK is the reprehensible two-child policy. That policy should be changed to make sure that, when people have more than two children, they do indeed have the children’s allowance to help and support them with those children.

Catherine West: The hon. Gentleman makes a good point. I was certainly in the Lobby when we failed to support that particular proposal.

It is high time that the House took action to end the treatment of Northern Irish women as second-class citizens. Let us look at the man, Leo Varadkar, who welcomed the resounding yes vote by saying that Ireland will no longer say to women, “Take the boat,” or, “Take the plane,” when they need an abortion. Instead, he said that Ireland will say, “Take our hand.” Is it not now time for us to offer our hand to the women of Northern Ireland and end the ban on abortion in Northern Ireland?

Emma Little Pengelly: Does not the hon. Lady recognise that her statement is in fact inaccurate? There is access to abortion in Northern Ireland, but on more restricted grounds, such as for the health of the mother. She is therefore not being accurate when she says that there is no access to termination.

Catherine West: I think it is the word “restriction” that I have a problem with—I almost choke when I say it. In February this year, the United Nations Committee on the Elimination of Discrimination against Women stated that citizens of the UK resident in Northern Ireland “faced grave and systematic violations of their rights”
because of the criminalisation of abortion. The report explicitly called for sections 58 and 59 of the Offences Against the Person Act 1861 to be repealed. I hope that, in the summing up, we will hear more substance from the Minister on the way forward so that we can respect both devolution and the fundamental human rights of every single woman in the British Isles.

I am aware that many Members wish to speak, so I will keep my remarks brief. However, I was pleased to hear the Chair of the Health Committee, the hon. Member for Totnes (Dr Wollaston), mentioning the domestic abuse Bill and to see her already thinking ahead. We are living in such interesting times in this Parliament. I wish to encourage the Government to think ahead—not just suddenly to realise that there might be a problem with legislation the day before, but to look genuinely at the issue of women’s health and to think about whether that Bill will be a fitting opportunity for the House to remove the impediment to the decriminalisation of abortion. The Government will indeed bring forward their long-awaited domestic abuse Bill, and I urge them not to delay that legislation or to put it aside, because this is a question of fundamental human rights. We want this Parliament to have a vote and to put the rights of women at the forefront of all our thoughts.

Mr Speaker: I should just say for the benefit of the House and those attending to our proceedings that there is no ministerial or other Front-Bench winding-up speech in a Standing Order No. 24 debate. The Front-Bench speeches have been made and that is where things stand.

4.15 pm

Fiona Bruce (Congleton) (Con): At the heart of this debate are women who are placed in what is often the most difficult situation of their lives. It is important that whenever we discuss this issue, we do so with as much compassion and understanding for them as possible. With that in mind, I shall endeavour to contribute to this debate without any animosity for those who hold distinctly different views from my own pro-life views. I believe that the unborn child has an equal place to be considered in this debate, but I also believe that it is vital that we endeavour to debate in an atmosphere of courtesy and respect.

The hon. Member for Walthamstow (Stella Creasy) said yesterday when applying for the debate: “It is little wonder that the United Nations has said that we must act”. —[Official Report, 4 June 2018; Vol. 642, c. 90.] That is a very powerful statement. If she based that statement on an inquiry report published in February this year by the UN committee, I would like to make some comments. Following this debate, I am sure that she will clarify whether her statement is based on a further authority.

The UN committee was considering the convention on the elimination of all forms of discrimination against women—CEDAW. The inquiry report has been cited by campaigners as one of the main justifications for reviewing Northern Irish abortion law yet, as I understand it, that committee has no capacity or standing to give a binding adjudication on the UK’s obligations under that convention, and nor does it have any authority to interpret that convention, as that is reserved to the International Court of Justice. Therefore, an invitation to the Home Secretary to treat that report as authoritative is, I understand—I am quoting the opinion of Mark Hill, QC—“flawed”.

It is interesting to note that the UK Government have commented on that report. After reviewing it and pointing out several factual inaccuracies, they said: “For the reasons outlined above, the UK Government does not accept that women from Northern Ireland have been subject to grave and systematic violations of their rights under the Convention...The Committee’s findings and recommendations which focus on changes to the criminal law on abortion cannot be addressed in the absence of a legislature with authority to legislate on such matters in Northern Ireland.”

I am sure that the Ministers who will consider the situation are already aware of that statement. I profoundly disagree with the report, as it is disrespectful to the people of Northern Ireland, on such a sensitive issue, to suggest that this Parliament should consider changing laws that would affect abortion. Abortion has been a transferred matter, as have health and social services, equal opportunities and justice.

Let me turn to another comment made by the hon. Member for Walthamstow in relation to the Infant Life (Preservation) Act 1929. I ask Ministers to look into this and obtain a legal opinion for the House, because it is a very important matter. This issue is complex but, as I understand it, the 1929 Act and the Abortion Act 1967 were decoupled by the Human Fertilisation and Embryology Act 1990. This means that those two Acts bear no relation to each other anymore, so the Abortion Act’s safeguards would in fact be removed if the relevant sections of Offences Against the Person Act were repealed as proposed. As I say, this is such a complex issue, so given the advice I have had, I think it is worth asking Ministers to look into this very carefully.

The proposers of this debate clearly want to go further and decriminalise—remove the legislative safeguards that have been in place. We already have some of the most liberal abortion laws in the world, yet I believe that campaigners want to liberalise them further. Ann Furedi, the chief executive of the British Pregnancy Advisory Service, has said, “I want to be very clear: there should be no legal upper limit.” Colleagues should be under no illusions. Repealing these sections of the 1861 Act would effectively pave the way to review comprehensively our current abortion legislation not just for Northern Ireland, but for England and Wales. We could see abortion on demand throughout pregnancy. That would be wrong and we should resist it.

Several hon. Members rose—

Mr Speaker: Order. A four-minute limit now applies. I am trying to incorporate everybody: that is the rationale.

4.20 pm

Tracy Brabin (Batley and Spen) (Lab/Co-op): I thank my hon. Friend the Member for Walthamstow (Stella Creasy) for securing the debate and my hon. Friend the Member for Kingston upon Hull North (Diana Johnson) for her campaigning on this subject. I also thank Conservative Members—men and women—who stood yesterday to show their support for the debate.

During my short time in this place, one of my favourite roles has been as a member of the Women and Equalities Committee. There we discussed, on many occasions, the right of a woman to choose, and resisting the criminalisation
of women, wherever they live, for taking control of their destinies and bodies. Working with the Equality and Human Rights Commission, the World Health Organisation and other organisations in many countries around the world, we have encouraged Governments to trust women with their bodies and to listen to women. I believe that Northern Ireland is the last piece in that global jigsaw.

The United Nations Committee on the Elimination of Discrimination against Women found that abortion law in Northern Ireland constitutes a “grave and systematic” violation of rights—our rights—and recommended that the Government decriminalise abortion in the UK. It cannot be right to criminalise a woman for wanting an abortion for any of the myriad and complex reasons that women have when they choose the right to say, “I can’t have this child.”

Repealing sections 58 and 59 of the Offences Against the Persons Act 1861 would mean that Stormont and the people of Northern Ireland could make their own decisions. The time is right. The Republic of Ireland has shown the way. As all those Irish women and men from far-flung places around the world descended on the Republic to demand change for themselves, and their sisters, daughters and mothers, I, like many in this House, felt proud to watch those scenes. I believe that what happened enhanced the global reputation of the Republic as a modern, progressive country determined to put a woman’s rights over her body at the front and centre of their political conversation.

The world is changing and we have to keep pace. With #MeToo, the new transparency around the gender pay gap and this transformation in Ireland, women’s voices are being heard, and it is time that we listened. I have no doubt that there are people in Northern Ireland watching this debate who are desperate to have a chance to engage with this conversation, such as members of Belfast City Council, which in 2018 passed a motion stating that abortion is a health issue, not a criminal issue. The only political party that opposed the motion was the DUP. I believe that resistance against this repeal is a decision of political cynicism. It is cruel and controlling, and lacking in humanity.

We all loved—and we were terrified by—the last series and the new one, of Margaret Atwood’s “The Handmaid’s Tale”. Do not let women from Northern Ireland look back on this moment and say, “That’s when the Government turned back the clock, held us back, ignored our human rights, and treated us like criminals because we wanted the power to make our own decision about whether and when we have children.” It is time. We must—must—do the right thing.

Anna Soubry (Broxtowe) (Con): I am proud to say that for as long as I can remember—probably since after it was first passed—I have been a proud supporter of the 1967 Act. I remember in the ’70s and ’80s marching many a mile in defence of the ’67 Act, and my views have not changed. The reason why I came to the conclusion that it was one of the greatest pieces of legislation ever passed in this place has already been identified by the hon. Member for Batley and Spen (Tracy Brabin) and my hon. Friend the Member for Totnes (Dr Wollaston). It is simply this: I recognise that, for myriad reasons, a woman or a young woman may find herself with an unwanted pregnancy, and I believe that she has a right to choose what happens next. I gently say to my hon. Friend the Member for Congleton (Fiona Bruce) that I do not seek to impose my views on anybody. I seek to offer a choice. That is the distinction. I say to DUP Members, with respect, that they impose their views on not just women, but their extended families.

Wera Hobhouse (Bath) (LD): Will the hon. Lady give way?

Anna Soubry: I will not take any interventions because Mr Speaker has been quite firm with me, and I am keen to curry favour with him—it would make a change.

There is an important point to make. Nobody happily, willingly skips into a clinic to terminate a pregnancy. Invariably, they do so after a heartrending, thoughtful process, often with a partner, a boyfriend or even their own parents. We must recognise that reality. As my hon. Friend the Member for Totnes said, the reality is that if we make abortions illegal, they do not stop. Members know that from the evidence in Northern Ireland: 724 women went overseas in 2016 to have terminations.

Before the ’67 Act was passed, women—living, breathing human beings—died in their hundreds of thousands at the hands of backstreet abortionists, or found themselves in a position where they were damaged and could never again have the child that they often longed for, but at a time that suited them and their circumstances. That is what that Act was all about, and those rights should now be extended to Northern Ireland. It is 2018, and I gently say to them: your laws are cruel and repressive. They do nothing for the advancement of women or for families, and they have to change.

What the hon. Member for Walthamstow (Stella Creasy) is suggesting—I congratulate her on it—delivers exactly the thing that should happen. It is what the hon. Member for Kingston upon Hull North (Diana Johnson) eloquently and properly advocated in her ten-minute rule Bill: getting rid of these ridiculous and ancient laws that criminalise abortion. That is the right thing to do. Let us get rid of them. The beauty in doing that is that it strengthens devolution, because the responsibility for sorting out what happens in Northern Ireland will go back to the Northern Ireland Assembly.

I thought that I was going to stand up and make a speech about the importance of devolution and why it is not the job of this Parliament to do what the hon. Member for Walthamstow suggests, but actually she has convinced me. She is absolutely right. What she suggests delivers the right thing to advance our abortion legislation and, secondly, strengthens devolution, because it hands this straight back to where it should be—the Northern Ireland Assembly. I gently say to them: get it sorted out, because this will not be tolerable any longer in our nation. We are a United Kingdom. We believe in the Union. Get that Assembly up and running. Do the right thing, not just by the people of Northern Ireland, and the women in particular, but for the security and furtherance of this great Union.

4.27 pm

Tonia Antoniazzi (Gower) (Lab): I congratulate my hon. Friend the Member for Walthamstow (Stella Creasy) on securing this emergency debate. I was proud to stand
in solidarity with Members across the House yesterday to bring the debate forward.

It stuns me that the Government will pander further to the DUP to force their agenda through the House—as they will particularly next week, no doubt—by selling the rights of women in Northern Ireland down the river. Women are suffering and their human rights are being infringed while the House does not act. The Northern Ireland Assembly has not sat since January 2017 and shows little sign of being reconstituted. Shame on the Tories, shame on the DUP and shame on the politicians who stand in the way. I have met different groups from across Northern Ireland, and many say that they are not interested in politics. One of the expressions I have heard is that people are “politically agnostic”. What does that say about politics in Northern Ireland? Those politicians are turning people off politics. People are making their own way in life in Northern Ireland, despite the shambles around the power sharing discussions.

Sir Jeffrey M. Donaldson: Will the hon. Lady give way?

Tonia Antoniazzi: Unfortunately I am unable to.

In the absence of a Northern Ireland Assembly, Westminster has a duty to stand up for the women of Northern Ireland. It is waiting for the Assembly to uphold the rights of women in Northern Ireland not just a way of avoiding taking action altogether.

The roll-out of universal credit, as we have all heard, penalises women who decide to have a third child, even if that is as a result of rape or within an abusive relationship. Imagine not being able to afford to have a third child, and imagine having to make the agonising decision to continue a pregnancy when foetal abnormalities have been detected. How can any of us begin to imagine what it is like to have to make such a decision? It is ironic that the DUP gives the Government moral support on the two-child rule.

My hon. Friend the Member for Pontypridd (Owen Smith), in his former role, wrote about this very issue to the Director of Public Prosecutions for Northern Ireland, who made it very clear that it is “a potential offence to withhold information regarding an act of rape. The legislation does not distinguish between a victim and third parties to whom a disclosure is made; each is potentially liable to prosecution.”

Is it not therefore evident that women in Northern Ireland are getting the rough end of the stick? There is also the fact that the Offences Against the Person Act 1861 is archaic and Victorian.

It is my responsibility as a woman and as a Member of Parliament to defend the rights of women in Northern Ireland. While abortion law may be devolved to Stormont, human rights are not, and the UN has told the Government on more than one occasion that the rights of women in Northern Ireland are being violated. Moreover, the defence of those rights is the responsibility of every UK MP.

This is about the rights of women to do what they want with their bodies, and we have spoken about choice in the Chamber today. This is about giving women in Northern Ireland parity with their sisters in the United Kingdom and, now, those over the border in Ireland. This is about leading the way on women’s rights around the world. This is about fairness and justice. More than anything else, this is a crazy situation to be in in 2018, and I will be doing everything I can to stand up for women in Northern Ireland.

4.31 pm

Maria Caulfield (Lewes) (Con): This is a hugely sensitive issue. Fundamentally, this debate should be about women’s choice on abortion in Northern Ireland. That is why I find it incredible that the one thing the hon. Member for Walthamstow (Stella Creasy) does not ask for is for women in Northern Ireland to have a vote and a say on whether they actually want abortion in Northern Ireland. Yet in her interviews on Sunday, when talking about Brexit, it was clear that she is campaigning for a second referendum—a people’s vote—on whether Brexit should actually happen. Surely it is more key to fight for a referendum on abortion for women in Northern Ireland than for a second referendum on Brexit.

What that shows, as we have heard from several speakers, is that this issue is actually a Trojan horse for what is really wanted—the removal of sections 58 and 59 of the Offences Against the Person Act 1861 would introduce abortion on demand, for any reason, up to 24 weeks. Crucially, that is what this debate is really about, and it is disrespectful to women in Northern Ireland to pretend it is about anything else. That is especially the case in the centenary year of suffrage, because while we celebrate 100 years of women getting the vote, it is only 50 years since the Catholic nationalist community in Northern Ireland got the vote. They had to have a civil rights movement and go through the years of the troubles to have their voice heard, yet in this debate we are actively saying that they cannot have a debate or a say on whether abortion is extended in Northern Ireland. [ Interruption.]

The hon. Lady may laugh, but what do the Catholic nationalist community in Northern Ireland get now? They get no representation in this place, despite having a vote, because their elected representatives fail to show up. They get no representation in Stormont on this issue, because their elected representatives have failed to get around the table. Now we are saying to them that they will get no representation on abortion law changes, because we do not want them to have a referendum. We are saying to them that the women in Westminster know best. That is not only insulting, it is undemocratic and flies in the face of women’s rights and women’s choices.

I am very happy to have a debate in this place on all aspects of abortion, but if we are truly serious about having modern abortion laws, let us look at the time limit set in the UK. We have seen following the recent referendum there that the Republic of Ireland will just set its time limit at 12 weeks, as is the case in Austria, Belgium, Bulgaria, the Czech Republic, Denmark, Estonia, France, Germany, Greece, Hungary, Italy, Latvia, Lithuania, Luxembourg, Poland and Slovakia. In the Netherlands it is 13 weeks, in Portugal 16 weeks and in Romania 14 weeks. In a ComRes poll, 70% of women in the United Kingdom said they would like the time limit reduced. If we are going to have a modern-day abortion law, let us have an honest and genuine discussion, and let us not hide behind the pretence that this is about rights for women in Northern Ireland. If women want to change the situation, we should be promoting the idea that they should have the say.
[Maria Caulfield]

If we are going to have a debate on abortion in the United Kingdom, we need to discuss explicitly banning sex-selective abortions, which proactively discriminate against female babies. We need to equalise the time limits for terminations between those with a disability and those who are able-bodied, and we need a debate about independent counselling. This is about women's choice and women's rights—but let us hear about the whole debate, rather than just selective messages from Labour Members.

4.35 pm

Diana Johnson (Kingston upon Hull North) (Lab): Since I have been in Parliament, our debates about this issue have always been about restricting and reducing women's right to abortion and right to choose. Three things have heartened me in the past 12 months, however. First, in March last year, we had a debate here on a ten-minute rule Bill, to which the hon. Member for Lewes (Maria Caulfield) responded. It would have done what my hon. Friend the Member for Walthamstow (Stella Creasy) proposes: repeal sections 58 and 59 of the Offences Against the Person Act 1861. The House listened carefully, and Parliament voted to support the idea. I was heartened by that: it was the first time that there had been any progressive step since the Abortion Act 1967 came in.

The second thing was, of course, the referendum in Ireland, which has now shone a spotlight on the position in Northern Ireland and the fact that we need to do something about it. The third thing is the court case on which we will have a judgment on Thursday. I think and hope that the Supreme Court will set out that the claims on human rights issues for women—the article 3 and article 8 claims—have been upheld. That would mean that the British Government would have to take action. Human rights are not devolved to the Assembly; they are something that this Parliament needs to deal with.

The hon. Member for Totnes (Dr Wollaston), the Chair of the Health Committee, said that times were changing and that we needed to prepare and get ready. I offer Members on the Treasury Bench something that I have been working on along with Gordon Nardell, QC, and Professor Sally Sheldon: a new abortion Act for England and Wales. It sets out clearly how abortion can be decriminalised, as has happened in one of the states in Australia, where there has not been an increase in late-term abortions. I say to the hon. Members for Lewes and for Congleton (Fiona Bruce) that my proposals last year, and the ones I am supporting with my hon. Friend the Member for Walthamstow, are about abortions up to 24 weeks; the Infant Life (Preservation) Act 1929 would stay on the statute book and cover abortions post 24 weeks. It is important that we update our legislation on abortion, to make it woman-centred and about the health needs of women, and to reflect the medical changes since the 1967 Act was brought in.

I also want to bring into any new abortion law a specific new offence of coercing a woman into having an abortion. I hope that the hon. Member for Lewes will support me on that; she has made a lot of that issue and the issue of sex-selection abortion. I also want a specific offence of causing an abortion through use of force or violence or the non-consensual administration of abortion tablets. In any new Bill, we need to introduce measures to protect and support women. But I ask this fundamental question: why do countries such as Poland and the United States of America not criminalise their women, while we in this country still have on the statute book the offences under sections 58 and 59, criminalising women who seek an abortion?

4.39 pm

Heidi Allen (South Cambridgeshire) (Con): This is a hard and emotive topic. Northern Ireland is a devolved Administration, so is it our business? I am a modern, progressive woman and I am proud that this country is my home. As a woman who believes passionately in equality, choice and an individual’s right to determine their own destiny; as a woman elected to be the Member of Parliament for South Cambridgeshire in the 21st century who stood yesterday to support the request from the hon. Member for Walthamstow (Stella Creasy) for this debate, because she is standing up for all the women in the UK; but mostly because as a woman I have been there, I am making it my business.

The Irish referendum result spoke volumes about how people in southern Ireland felt. They wanted change and they voted for it decisively. How can it be that Northern Ireland will soon be the only part of Great Britain and Ireland where terminations are to all intents and purposes outlawed? I was ill when I made the incredibly hard decision to have a termination. I was having seizures every day. I was not able to control my own body, let alone care for a new life. Are people seriously telling me that, in a civilised world, rape, incest or a foetus that is so sadly deformed it could never live are not sufficient grounds for a woman to have the power to decide for herself—that she should not make that decision? No. Enough.

Very suddenly and unexpectedly, we have a window of opportunity before us. Whether we feel that the window has opened as a consequence of the non-functioning of the devolved Administration in Northern Ireland, or because a neighbouring referendum was so close to us and so relevant as to be impossible to ignore, or simply because we feel the glaring light of equality and human rights illuminating the women of Northern Ireland, this has become their moment and they will have my unequivocal support.

4.41 pm

Sammy Wilson (East Antrim) (DUP): The speech by the hon. Member for South Cambridgeshire (Heidi Allen) highlights the deeply sensitive nature of this debate. Many people watching it will empathise with the point she made. Equally, many people will feel that their deeply held values about the importance of preserving life also need to be reflected in this debate. We have heard much about the United Nations committee’s view on what is happening to women in Northern Ireland. If we want to look at what the United Nations says, the UN charter talks about the protection of the rights of the child, including the unborn child. It indicates that those rights are of equal importance.

Vera Hobhouse: Does the right hon. Gentleman understand that people who, like me, would never have an abortion support the right for women to choose? It is not for us here to make that decision; it is for the individual to make that very personal decision.
Sammy Wilson: This debate has two sides to it. It has of course reflected the views of those who wish to control their own bodies, but what about the unborn child? That side has been lacking in most of the speeches today. What rights and protections does the state afford to unborn children? Listening to this debate, one would imagine that in Northern Ireland no consideration has been given to the views of the population. We had a debate in the Northern Ireland Assembly—more recently than in this House—where it was decided, across the parties, that the current legislation should stand, albeit with the review outlined by my right hon. Friend the Member for Lagan Valley (Sir Jeffrey M. Donaldson). I am not embarrassed about the legislation in Northern Ireland, which, by the way, is balanced because it does protect the physical and mental health of the woman while at the same time recognising the rights of the unborn child.

Anna Soubry: So what’s the right hon. Gentleman going to do about it? That’s what I would ask him. What about the 724 women who came to this country to have an abortion? What are you going to do? Make them stay in Northern Ireland to have children they do not want? What’s your solution?

Sammy Wilson: Our solution is that since this is a devolved issue it will be decided by, and reflect the views of, the people of Northern Ireland. The shadow Scottish National party spokesman for Northern Ireland, the hon. Member for Edinburgh North and Leith (Deidre Brock), outlined it very well: there are reasons for devolving issues across the United Kingdom. Devolved Administrations are meant to reflect the views of the people in the areas that they represent, and I believe that the laws in Northern Ireland reflect the views of the people of Northern Ireland. That is why the Northern Ireland Assembly voted to maintain those laws.

Let me make a further point. This is why I am not embarrassed about the laws that we have, and why I do not believe that we have turned the clock back: as a result of not introducing the legislation that exists in the rest of the United Kingdom, thereby reflecting the views of the people of Northern Ireland, and of making both lives matter—that of the child and that of the parent—100,000 people are alive in Northern Ireland today who would otherwise have been killed before they were even born.

I know that that message is not liked—so much so, that the pro-abortion lobby tried to get the Advertising Standards Authority to challenge it, but it found that statistically that was a correct figure. We have people today in Northern Ireland who are rearing families, contributing to society, building their businesses, working in our factories, and sitting in our schools who otherwise, if we had had the legislation that exists in the rest of the United Kingdom, would have been discarded and put in a bin before they were ever born—[ Interruption. ] I have to say, that is one of the reasons why—[ Interruption. ] That is one of the reasons—[ Interruption. ]

Mr Speaker: Order. This debate has so far been conducted with passion, but also with respect. The right hon. Gentleman must be heard, and whether he takes interventions is up to him. Please, I appeal to colleagues to respect each other.

Sammy Wilson: That is one of the reasons why I believe that the legislation we have in Northern Ireland is balanced. It respects both the health of the woman and the rights of the unborn child—reflecting, by the way, what the United Nations says in its charter on the rights of unborn children. I believe that we have the correct balance, and if there are hard cases that have to be looked at, we have the process in place for doing it.

The one thing I would say to Members here is that the devolved settlement allows us to make those decisions. I believe that those decisions and the way in which people vote for parties in Northern Ireland reflect the fact that, by and large, they are content with that. Of course, it will not satisfy everyone. There are people who are opposed to the legislation, but I believe that the legislation we have reflects the views of the people of Northern Ireland. That is what devolution is all about. That is why the decision should not be made in this House and why we certainly should not have a change in the law that leaves no protection at all for people in Northern Ireland, because it would leave a legislative vacuum.

4.48 pm

Vicky Ford (Chelmsford) (Con): Abortion is rightly a very emotional issue and people have very strong personal views. This is not the first time in my life that I have been asked to vote on abortion. During my eight years in the European Parliament, I found that Members of the European Parliament vote on abortion nearly every month. Every time that that Parliament considers foreign policy in another part of the world, there is a detailed statement about human rights, birth control and abortion. I have voted on abortion policy in countries as far afield as Russia, China and India, and all over the world. If people check my voting record, they will see that I always support the woman’s right to choose. I always support the woman’s right to access contraception, and I never support the death penalty.

The debate in Ireland shone a light. The people of the Republic of Ireland voted for reform, and we, as their nearest neighbours, should support their decision. But the debate today is about whether we should repeal parts of our UK abortion law—specifically, the sections that make it a crime for a woman to try to cause her own abortion, or for anyone to help her or to supply anything that causes that abortion. This type of criminalisation is out of line with most other western countries and I understand the calls to modernise the law. But repealing those two sections would not solve the issue. If they are repealed, there would need to be new safeguards to protect women and a new legal framework.

In my many votes in the European Parliament, I was acutely aware of how challenging it is when politicians in one part of the world try to tell others what to do, especially on moral issues. The detailed legal framework must be a matter for locally accountable politicians. In Northern Ireland, there are deeply held views. Polls suggest that the majority want reform, but there is no agreement on the detail, which some say should be permitted in the case of life-limiting conditions, others say for rape or incest, and others say they want the same law that side of the water as we have this side of the water. These issues need to be considered.

As someone who was born and went to Sunday school in Northern Ireland, I see the huge sensitivities that could arise if we in Westminster try to legislate over
the heads of the devolved Government—it is a devolved issue—but for over a year the parties in Northern Ireland have not taken up their seats. The Members have taken their salaries but not their responsibilities, and that has left people in many areas facing uncertainty. Decisions need to be made. If the Supreme Court decides that the Northern Irish abortion laws breach the ECHR, this Government will have to take action. The UK is a champion of human rights all over the world. We cannot turn a blind eye and will be forced to act.

I do not want this House to have to take action on matters that should be decided locally. I think it is right, therefore, that the Secretary of State has gone over there to kick-start the restoration of the Assembly. It is time for the Assembly. It is time to redouble those efforts. Assembly Members of Northern Ireland, I know you are listening. If you truly care about the women of Northern Ireland, if you truly care about the babies of Northern Ireland, now is the time to show leadership, take up your seats and take these decisions. Otherwise I fear we may have to.

4.52 pm

Jess Phillips (Birmingham, Yardley) (Lab): Recently, I had to hire a car. It turned out that the cheapest and best option was to hire it from Birmingham airport. When I got in the car, I turned on the on-board sat-nav, and the last journey taken was to the Calthorpe clinic in Edgbaston—the place I myself had been for an abortion a decade previously. I shuddered at the thought of the woman who had hired the car before me, not to go about her working life but to do something that I had taken completely for granted. I and the hon. Member for South Cambridgeshire (Heidi Allen) are not criminals.

Last week, I asked the women of Northern Ireland to get in touch and tell me their stories of travelling to England, Scotland and Wales. Today I am them, and here are some extracts:

“It was Christmas Eve. I was with friends at a party and stepped outside for a breath of air and I was raped... My Mum had to book flights and booked me into a clinic. This all took money & I was from a working class family. We borrowed what we could and I left for London. Alone after I’d been Raped. I’d never travelled anywhere on my own.”

“I was in a relationship of sorts with” an abusive man.

“I knew that had I carried on with this pregnancy I would not only lose my job but my home and the ability to look after the children I already had. My consultant told me that following legal advice medical staff were not allowed to provide any information that would help anyone to get an abortion.”

“I cried on the phone when I rang Marie Stopes in Belfast and they told me how much it would cost to book a medical abortion. I...considered taking too many of the antidepressants...not enough to kill myself but enough to induce a miscarriage”.

“I was 15, standing in McDonalds car park in the freezing December weather staring at a boy much older than me minutes after finding out I was pregnant. I was terrified...that someone would see me standing in my school uniform. I went to Liverpool two months before I turned 16, and 8 weeks after having sex with a boy who no longer wanted to know my name. The shame I felt lingered long after I had made the eight-hour boat journey back to Northern Ireland.”

Paula Sherriff: I think my hon. Friend has ably demonstrated this in her speech, but does she agree that, for the vast majority of women, the decision to have an abortion, at whatever stage, is a heart-rending one and rarely taken without huge consideration?

Jess Phillips: I absolutely agree. I would also like to stick up for the women who are not the difficult cases, as well as those who are.

Let me return to the stories:

“The taxi driver who picked us up in Birmingham from the flight was kind, he drove right past protestors outside the clinic and called them ‘horrible people’. He wouldn’t accept mum’s money for the fare. I realised she saw many girls like me, I wasn’t alone...I did not want to travel on my own so had to wait till my friend got time off work...Leicester isn’t exactly easy to get to so we set off at 4 am for our flight, an hour’s bus journey into Leicester, and another 45 mins on another bus just to get to the clinic. After the procedure”, she and her friend had to go and catch another flight.

“Again another two bus journeys that took near 3 hours this time to get back to the airport, another flight”.

They went back to the house, “drained, exhausted, emotional and sore.”

She continues:

“The night before I was due to fly to London I had some minor bleeding and by the time I boarded the plane I was in some discomfort. Immediately the plane took off I made my way to the toilet as I had started to bleed heavily. When a female steward eventually knocked at the door I told her I was unwell and suffered from heavy periods. Of course she must have known but she said nothing. I was first off the plane with the young steward who accompanied me to the public toilets in Heathrow airport. She tried to persuade me to see a doctor or nurse but I was terrified. I went into the cubicle. I passed everything into the toilet and flushed it. When I returned to Belfast I did see my GP who was horrified and told me I could have died.”

The final story in my speech sums up what each and every woman who got in touch was saying—and there were hundreds:

“Despite my mental health issues, despite an abusive partner, despite having no money and no real sense of where I was going, I was expected to have this baby. But I didn’t want to be pregnant. And that’s really why I went to England. Afterwards I felt sore, but mostly angry that I’d been made to board a plane because the government that laid claim to my country, demanded it, legislates better for its English citizens than its Northern Irish people. Because Westminster allows our women to be deprived of the basic human rights they give to their English citizens.”

4.57 pm

Huw Merriman (Bexhill and Battle) (Con): It is a pleasure to follow the hon. Member for Birmingham, Yardley (Jess Phillips), who always speaks powerfully and emotively about such subjects.

I have sat through the debate in silence, and I have heard many points being made. I have disagreed with some of them vehemently, but I think it important for us in the Chamber to listen with respect to every opinion and not to think that we have a monopoly, however much we may disagree with the opinions of others. If we do otherwise, we are setting a terrible example to the rest of the country.

I look particularly to my friends in Northern Ireland, who I know serve their community incredibly well. They know their community and they are from their community, and I do not think that some of the etiquette directed towards them befits this place. I say that having found myself in agreement with the hon. Member for Walthamstow (Stella Creasy). I fundamentally believe
in the right of women to choose what to do with their bodies, and I think that, if we are one United Kingdom, albeit with devolved parts, it is extremely important for us to have basic rights that everyone in the United Kingdom can enjoy. That is the issue that I have with the current law.

I would not be standing up and making these points if Northern Ireland truly had working devolution. If that were the case, this would be a matter for Northern Ireland, because in practice as well as by rule, these powers would be enacted there. However, it has been 18 months since powers ceased to exist there, and that is my difficulty. Although I am not a Northern Ireland representative, I must ask for how long the people of Northern Ireland must continue to experience circumstances in which they live in a democracy but there is an absolute impediment to their ability to reform rather than just carrying on, given that there is no functioning Executive and no Assembly.

Times change, and we have seen the move from the Republic, but a 1938 legal case, R v. Bourne, still largely governs the right of abortion in Northern Ireland: a woman has to become “a physical or mental wrench” until that right can be invoked. As a representative of this United Kingdom, I cannot stand by and see that occurring. I believe that it is a duty on every hon. Member to put their head above the parapet and say that if we believe that this is not right any longer, we have to make a stand for others in the United Kingdom to have the rights that my constituents have. That is what causes me to rise.

Of course I hope that the Northern Ireland people, led by their democrats, can form a functioning Administration, in which case they can take the powers back and make those decisions themselves, but the difficulty I have is that I cannot just sit behind a wall that says, “It’s nothing to do with me because there’s devolution,” when devolution is not functioning.

On that basis, I support the hon. Member for Walthamstow. I give her great credit for the courage with which she has led this debate. I also believe that there comes a point in time for the rest of the United Kingdom law to be updated. We should not have rights on the basis that there are exemptions. Those rights should be there for women and we should ensure they are kept up to date with medical advances as well. I am glad that we are having this debate today and I very much support the move that the hon. Lady has brought.

5.1 pm

Liz Saville Roberts (Dwyfor Meirionnydd) (PC): It is an honour to be a co-signatory with the hon. Member for Walthamstow (Stella Creasy) in securing this debate.

The Offences Against the Person Act 1861 is a Victorian consolidation statute kept workable only by means of regular reinterpretations and case law; it is a creaking legislative machine held together by bolt-on updates. Unalloyed, this Act makes criminals of both desperate women and compassionate doctors. The decision to decriminalise abortion is a human rights question and thus a reserved matter for Westminster. If the decision were made to decriminalise abortion—if it were no longer a crime with exemptions—it would become a devolved healthcare competency, and Wales, where criminal justice is not devolved, would have greater powers than is currently the case.

What could we do with such powers in Wales? First, we could consider the need for two doctors’ signatures. In an area like rural Dwyfor Meirionnydd, this means either two visits to different GPs or a visit to a GP and the British Pregnancy Advisory Service clinic in Llandudno. In much of Wales, there is only the option of two GPs, with all the fear of being recognised and of being talked about and the stigma this entails in close communities. We must remember that these are places where a person’s mother will know the GPs and everyone is afraid that the receptionist knows everybody’s business and will be talking about it. Across much of Wales, there is a shortage of accessible GPs, too, so much so that 12% of women in Cardiff who seek the procedure attend private abortion clinics because they are afraid that the NHS will be too slow for them.

If this area was truly devolved, the National Assembly for Wales could also move ahead with confidence with powers to allow women to undertake the second stage of a medical abortion at home, rather than having to be seen by medics at a clinic twice. I ask Members to think about the fact that as things stand they would have to travel either in a car or by public transport back home from the clinic with the effects of a medical abortion starting on them as they travel. I ask Members to think, too, about the recommendation that they should not drive themselves to and from the clinic and all that that means in terms of confidentiality; do they tell their mother or grandmother—should they come with them, or should their best friend come with them?

That is what the contemporary law means for women in Wales, because of a piece of legislation that was patched together 157 years ago. Repealing sections 58 and 59 of the 1861 Act would allow devolution to change this, and arguing that devolution for Stormont is a reason to deny this for Wales is ironic considering clause 11 of the EU withdrawal Bill and the power-grab implicit in it.

The criminalisation of abortion does not prevent abortion. The Guttmacher Institute publishes figures showing that abortion rates in countries with prohibition stand at 37 per 1,000 women as opposed to 34 per 1,000 in countries where abortion is not restricted; they are virtually identical. Highly restrictive laws do not eliminate the practice of abortion, but they reduce women’s safety and increase the distress of undertaking the procedure.

Let us face it: no one wants an abortion, but our control of our own lives must not be at the mercy of biology. Deciding whether to have children, and when and how many children to have, is a fundamental human right.

5.4 pm

Owen Smith (Pontypridd) (Lab): I congratulate my hon. Friend the Member for Walthamstow (Stella Creasy) on bringing this debate to the House today. She has made an eloquent and compelling case for the decriminalisation of abortion across the whole United Kingdom, but she should not have had to make that case, because it had already been made brilliantly by my hon. Friend the Member for Kingston upon Hull North (Diana Johnson) last year. We should have enacted this change already. My hon. Friend the Member for
[Owen Smith]

Walthamstow also made an excellent case about the compatibility of her proposals with the devolution laws. That is an important point to make.

I speak as a former shadow Secretary of State for Wales and for Northern Ireland—I occupied those positions for fully half the time I have been in this place—and I believe that choice and compassion for women should trump all the constitutional concerns. That is what we should be deciding as a legislature, either here in this House or in Northern Ireland. I am a devolutionist, and I believe that we should respect the devolution settlement in all parts of the UK, but I am also someone who believes fundamentally in the universality of human rights, including the rights of women in all parts of the UK—indeed, in all parts of the world—to choose what happens to their bodies and to have legal and healthcare systems that respect their choices and look after their health and wellbeing.

The abortion laws in Northern Ireland—however they have been derived, however long-standing the conventions might be, and whatever the views of the politicians in Northern Ireland might be—do not respect or protect the human rights or the health and wellbeing of the women of Northern Ireland. That is why they should be changed. Ideally, that should happen in Stormont, but if Stormont is unable to rise to that challenge, it should be done in this place.

Jo Stevens: Every man in this Chamber has control and choice over their reproductive healthcare. Every man in this Chamber can have a vasectomy if they wish to do so, without the threat of prosecution. As a woman, I have no control or choice. Does my hon. Friend agree that, for all the complexities of the Northern Ireland political situation, this is a matter of equality and human rights?

Owen Smith: I am grateful to my hon. Friend for that excellent intervention. Devolution necessarily means that there will be differences between the jurisdictions of the United Kingdom, but it should not mean that people in any one part of the UK should have a diminished set of rights. That is what we are dealing with in Northern Ireland.

I became utterly convinced of this case when I led a delegation of Labour MPs to Northern Ireland earlier this year to hear directly from the women of Northern Ireland about their experiences. One of the women who spoke to us has been mentioned several times in today’s debate. Sarah Ewart has become a great champion for the cause of reform in Northern Ireland, and her story is typical. At 19 weeks, she was diagnosed as having a foetus with anencephaly, a fatal neural tube defect. The baby was never going to live. She was unaware of the circumstances and went to her GP to ask for an abortion, only to be told that she could not have one. She ended up spending over £2,500 to come to England and undergo a not terribly satisfactory procedure, and being traumatised in the process. She is one of hundreds of women undertaking that journey, and one of thousands who have contemplated seeking, or have sought, medication on the internet to bring about an early termination. That cannot be right in 2018 in any part of the United Kingdom. It cannot be right that we endure circumstances in which the Victorian practice of backstreet abortions is growing in part of the United Kingdom. That should simply be unacceptable.

I want briefly to talk about the politics of this. Hon. Members from Northern Ireland have spoken with knowledge of their communities, but I do not think that we have heard a completely full account of where public opinion lies in Northern Ireland, or of the political situation there. One of the parties in Northern Ireland has changed its view recently—Sinn Féin has moved its position—and other political parties, notably the Ulster Unionist party, have previously stated that this would be a matter of conscience, were there to be a vote in the Northern Ireland Assembly. So it is not black and white that there is political opposition to this across the board in Northern Ireland. Nor is it right to say that there is public opposition, because some of the most recent polls have shown that up to 75% of people in Northern Ireland, of all faiths and none, believe that there should be decriminalisation there.

Emma Little Pengelly: Will the hon. Gentleman give way?

Owen Smith: I am afraid that I will not give way.

I was pleased to hear the Secretary of State say that Conservative Members will have free vote if the matter comes before the House, so I hope that it comes before the House at the earliest opportunity and I look forward to voting with Conservative Members to change the law for Northern Ireland.

5.10 pm

Alison Thewliss (Glasgow Central) (SNP): I pay tribute to the hon. Member for Walthamstow (Stella Creasy) and all those who have been brave enough to speak in this debate. I also pay tribute to those in the women’s sector in Northern Ireland who are watching on. They are the most tremendous bunch of feminists, and I encourage everyone to meet them.

I will speak briefly about the impact of women not having the right to choose and what happens when their options are restricted. The restriction of child tax credits and the child element of universal credit to the first two children in a family is a cruel policy that I am well on record as opposing, but we do not often discuss the choices that that drives women to make. The benefits helpline Turn2us surveyed callers affected by the two-child policy, and 700 people said that it affected their decision to have another child. A number of women had opted for abortions of wanted babies rather than pursue a pregnancy that they felt they could not afford. Some with religious beliefs or whose pregnancies were too far along could not do the same. It is abhorrent, despicable and cruel that this UK Government policy is forcing women to terminate pregnancies, but the fact remains that, unlike women in Scotland, England and Wales, women in Northern Ireland are not afforded that choice.

The hon. Member for Birmingham, Yardley (Jess Phillips) talked compassionately about the women who travel, but that option is not open to all. Those who are in poverty, those in abusive relationships, single parents and those with childcare issues, insecure immigration status or a disability often cannot travel. They cannot afford to or they practically cannot travel, and they may then take pills bought over the internet. The most
marginalised women are now also the most likely to be criminalised. The situation is unsustainable and must be challenged.

For historical reasons, the average family size in Northern Ireland is higher than in the rest of the UK, and the two-child policy has a disproportionate effect. There is a certain irony that DUP Members are propping up the Tories and supporting social security cuts that will leave families less able to provide for their children, while opposing changes to abortion law. The two-child policy will put 250,000 more children into poverty by 2020, and families will lose out by at least £2,780.

Women in Northern Ireland are left in a trap. They are unable to access child tax credits or abortions, and women in particular circumstances of abuse cannot access contraception. The hon. Member for Walthamstow said that it is almost as though we are in Gilead, and some women find themselves with very little control over their reproductive rights. I trust women. I believe in their right to choose, and I hope that the Supreme Court does as well. Our sisters in Northern Ireland have been left behind and left out for far too long. I urge that progress is made on this issue as a matter of urgency.

5.13 pm  
Jim Shannon (Strangford) (DUP): Thank you, Mr Speaker, for the opportunity to speak on this issue. I ask all right hon. and hon. Members in the Chamber to respect our hard-held and heartfelt views and opinions, which may be different from those held by some who have spoken, but may be in kilter with some who have not. This debate is an opportunistic move on the back of the so-called momentum of the Irish referendum to bring abortion on demand to the UK with no restrictions. That is my opinion. It may not be the opinion of everybody in this place, but that is how I feel about it. Let me be clear that the change would mean that babies could be removed from the womb and disposed of when their hearts are beating, and I am diametrically opposed to that for several reasons.

I have stood in this Chamber to speak to, and have written to, many people whom I think have power—Ministers, permanent secretaries and Secretaries of State—asking them to allocate and release funding to address the crisis point that our health and education services have reached. Devolution demands that Stormont makes major policy determinations, not Members of this place. Why are we debating this issue yet not taking the reins and addressing the A&E crisis and GP surgery closures? Other Members have referred to that. We are debating just one issue; we are not debating the critical issues of how health and education works.

As far as I am concerned, the referendum in Ireland has no bearing on the democratic process in Northern Ireland—full stop. Ireland had a referendum because its constitution demanded it, and we have no need for one; we simply need a working Assembly. Does this mean so much to Michelle O’Neill, with her “North is next” statement? No, it does not. Is Northern Ireland next? Bring it to the Assembly and see how many Members of the Legislative Assembly put their name to the change. The last time this was debated in the Assembly, the decision, by 59 votes to 40, was to leave the law as it is. The decision was supported cross party and cross community, and there was no petition of concern. People can ignore that if they want, but it is a fact of life.

Paul Girvan (South Antrim) (DUP): The last time this was debated in the Northern Ireland Assembly, there was evidence that many people have multiple abortions and are using it as a form of contraception.

Jim Shannon: I thank my hon. Friend for his comment.

Frank Field (Birkenhead) (Lab): Does the hon. Gentleman agree that if this is such an important issue for Northern Ireland, it had best get its Assembly up and running quickly, otherwise we will increasingly find that this Chamber decides issues on behalf of Northern Ireland that should legitimately be decided by the Assembly itself? My vote is that we should never put women in the position of seeking back-street abortions—many of us will have older relatives who were in that position. This goes back to the fact that Northern Ireland needs to get its Assembly running.

Jim Shannon: I agree with the right hon. Gentleman that the Assembly should make that decision. I think we all want that to happen, and if the Assembly were making the decision, I am sure nothing in the existing legislation would change.

Emma Little Pengelly: We have heard a couple of references to back-street abortions. Does my hon. Friend agree there is no evidence of any back-street abortion activity—never mind an increase—in Northern Ireland? There are issues, and we have indicated that we will deal with those issues compassionately, but back-street abortion is not an issue in Northern Ireland, as far as we are aware.

Jim Shannon: I thank my hon. Friend for her factual evidence.

It is my belief that a child is a child from conception, as can increasingly be seen through medical advances. A heartbeat can clearly be seen from three weeks. One lady in my office said, “If a doctor declares you dead when your heart stops beating, you must be declared alive whenever your heart is beating.” My opinion is determined by the women around me: women who are religious and those who are not; women who have grieved after losing a baby at 12 weeks; and women who have carried their babies full term—I know quite a lot who have done that.

My opinion is formed by the use of the Abortion Act on the mainland. The 1967 Act was enacted with conditions, rules and criteria, but the situation we ended up with was abortion on demand. What are the facts? In 2015, there were 697,852 live births and 185,824 abortions in England and Wales. For every three children born, one is aborted. If that is not abortion on demand, I need to know what is.

In the last 10 years in England and Wales, out of almost 2 million abortions, just four were recorded as being for the purpose of saving the mother’s life. The conditions in the Abortion Act are rightly there to protect young children, but have they done that? No, they have not. We have had approximately 50 abortions in Northern Ireland, so women can have an abortion in Northern Ireland if the conditions are met—two GPs have to agree that an abortion would protect the welfare, health and safety of an expectant mother. We have a system that works, and it is better than the legislation in
[Jim Shannon]

the United Kingdom. It is better than the Republic of Ireland’s system, too. The Democratic Unionist party believes that both lives matter—the mother’s life and the child’s life—and, as my right hon. Friend the Member for East Antrim (Sammy Wilson) said, 100,000 people are alive today because of that.

The hon. Member for Pontypridd (Owen Smith) spoke about opinion polls, and there was the publication at the weekend of a national opinion poll that asked voters in Northern Ireland whether they supported abortion when a woman simply does not want the child. Only 34% said yes and 60% said no. There is no demand among the general public for abortion on demand, which Members would push through if they had the opportunity.

I am called to be a legislator, and I have to weigh up the number of the cases I mentioned against the number of those that abuse legislation as a means of birth control. I believe it is to the good of our nation to protect our babies in their mother’s womb and to support that woman. I believe it is wrong to ask doctors to take the life of a child within the womb. I believe that there is another way and we must advocate for that. I believe that the woman and her body matter, but so does the life of the child. Let us remember the child. People may think that the woman and her body matter, but so does the other way and we must advocate for that. I believe it is to the good of our nation to protect our babies in their mother’s womb and to support that woman. I believe it is right to ask doctors to take the life of a child within the womb. I believe that there is another way and we must advocate for that. I believe that the woman and her body matter, but so does the life of the child. Let us remember the child. People may think that the woman and her body matter, but so does the life of the child. Let us remember the child.

I am vice-chair of the British-Irish Parliamentary Assembly, and our Committee D, many members of which are present, is in the middle of an inquiry into abortion across all jurisdictions of Britain and Ireland, including the Isle of Man, which I do not think has been mentioned today. We paused our work to allow for the Irish referendum, not just for myself, but for those women who have a right—a human right—and for our children throughout the UK. I want them all to be on an equal footing.

If that is not enough, perhaps we should look at what the legislation says, because human rights are not devolved. There is a precedent from 2007. When the DUP blocked the EU gender directive, Westminster stepped in and intervened. Legislation also gives the UK Parliament responsibility for meeting international obligations such as United Nations treaties ratified by the UK. UN bodies have found that Northern Ireland abortion law is incompatible with human rights treaties ratified by this Parliament. That is also the view of Amnesty International, which has said:

“Northern Ireland laws have been repeatedly found by UN treaty monitoring bodies to be in significant violation of the various human rights treaties the UK is state party to.”

We are not trying to usurp the rights of the Stormont Parliament; it is not sitting at the moment—

Mr John Hayes (South Holland and The Deepings) (Con) rose—

Christine Jardine: I hope that the right hon. Gentleman will not mind, but because of the time limitations, I am not going to give way.

We are not trying to usurp the rights of that Parliament; we are simply trying to establish the rights of women throughout the UK, to put those rights on an equal footing, and to give every woman the choice. If we repealed sections 58 and 59, the Parliament in Northern Ireland would, as we have heard, be able to decide for itself how to proceed. I give my complete support to today’s debate, not just for myself, but for those women who have a right—a human right—and for our children throughout the UK. I want them all to be on an equal footing.

5.23 pm

Karin Smyth (Bristol South) (Lab): I am a strong supporter of the right of women to autonomy and choice, and it is right that in this place we highlight the appalling treatment of women in Northern Ireland, as we would highlight discrimination in any other part of the world. Given that the 1861 Act is a UK law, it is also right that this Parliament debates—and, I hope, in time repeals—the relevant sections. I do however, wish to use the brief time available to utter a few words of caution about the next political steps we take to make the change that we want to see.

I am vice-chair of the British-Irish Parliamentary Assembly, and our Committee D, many members of which are present, is in the middle of an inquiry into abortion across all jurisdictions of Britain and Ireland, including the Isle of Man, which I do not think has been mentioned today. We paused our work to allow for the Irish referendum, but we will continue our debate following this weekend and in the coming months.

The Republic of Ireland vote on the eighth amendment is transformative, not just for women in the Republic, but for women around the world whose politicians have not heeded the need for change in respect of votes of what has been termed conscience. The referendum result will have major implications, not only for Northern Ireland in terms of the debate on the rights and wrongs of abortions, but for the practical realities. The referendum vote is transformative for all people across the island of Ireland. Women from Northern Ireland will now have the ability to travel into the Republic for abortion services, once those are up and running. They will not
have to get on a plane or a boat; they will be able to walk into Cavan, Monaghan or Donegal at any point and probably access abortion services. They will be able to take a short bus ride.

Will women have to apply for funding, as agreed by this Parliament, to travel into the Republic of Ireland? Will the reciprocal healthcare rights apply to terminations? Do they apply as part of the European Union? Do they apply under the spirit of, and the rules that govern, the Good Friday/Belfast agreement? Has the Secretary of State discussed implementation with the Irish Government? There is merit in an all-island view of this issue. There is a debate in Northern Ireland about whether abortion is an issue of human rights or healthcare, with one of those subjects within our purview and the other not. It is not a binary issue.

This debate is helping to spotlight the scandal that is the collapse of the Northern Ireland Assembly. If the politicians cannot agree, how are we going to get them to make some kind of future Act? There is discussion about whether a civic forum is the way forward for Northern Ireland, but I am not entirely sure how would be made a reality, given that the Assembly is not in place.

We have heard a lot of assertions about what people think. Members from Northern Ireland are quite right to say that they have a mandate to be here and say what they have said; others have a mandate not to be here. We do not know what people in Northern Ireland think because we have not asked them directly. That is the political reality. There is unlikely to be any change in the electoral mathematics in Northern Ireland at any time soon. The law is complex in this policy area, and it is no good pretending it is not.

The Government cannot now be let off the hook on this issue, and we need to understand how they will unblock this situation. I am not generally in favour of referendums—I think they do not go that way—but a referendum should be considered as a tool to unblock the political situation. What discussions have the Government had, or will they have, with the Irish Government about the all-island situation and implementation? What support will be given to women who travel to and access abortion services in the Republic of Ireland? What is stopping the Government going directly to the people of Northern Ireland for a view on this issue?

5.27 pm

Hannah Bardell (Livingston) (SNP): It is a pleasure to speak in this debate. I commend all the Members who have taken part and thank the organisations that have given us briefings, including Engender, Scottish Women’s Aid and the British Pregnancy Advisory Service.

Ruth Halperin-Kaddari, from the UN’s expert Committee on the Elimination of Discrimination against Women, has said:

“The situation in Northern Ireland constitutes violence against women that may amount to torture or cruel, inhuman or degrading treatment.”

We have to bear that in mind in all these discussions. As I said in my interventions, we have to deploy respect for each other, and there have been a range of views and proposals from Members in different parts of the Chamber.

I congratulate and commend the hon. Member for Walthamstow (Stella Creasy) for bringing this issue to the House in such a brave fashion. I must say that I have become more swayed by the arguments as the debate has gone on, but for DUP Members to suggest that women opt for abortions as a matter of convenience, or to talk about unborn children being thrown in the bin or babies being disposed of, are disgusting ways to describe the choices that women have to make anywhere in the UK but particularly in Northern Ireland. The fact that the legislation that governs some women’s reproductive rights was made at the time when Parliament passed the Capital Punishment Amendment Act 1868 to end public hanging shows that so little has been thought of women’s health in some areas that it is deemed appropriate for our bodies to be governed by a law that is so old that no one is left to remember it.

We must recognise the extraordinary circumstances in which we find ourselves. The Republic has voted, and we must wait to see what legislation comes forward and what impact it will have on women who travel for an abortion and on services in the Republic. In November 2015, a High Court judge ruled that Northern Ireland’s almost outright ban on abortion breaches the human rights of women and girls, including rape victims. I have huge sympathy with the women of Northern Ireland—I stand with them. The stories of women travelling alone and scared to another country for an abortion when many of them have already endured a trauma strike at the very heart of why we are elected. We are here to stand up to injustice and to protect our citizens.

This is a hugely complex issue both constitutionally and in human rights terms. A report by a House of Lords Committee said that the issue of whether human rights are devolved or reserved is not as clearcut as it has been presented as being. I cannot give fuller details because of time constraints.

As my hon. Friend the Member for Glasgow Central (Alison Thewliss) highlighted, we are criminalising women in the most desperate of circumstances. There have been discussions about the notion of a referendum to ask for the views of the people of Northern Ireland. We must recognise the different constitutional situation between the north and the Republic, and I have some sympathy with the women’s organisations that are quite rightly saying that women’s rights are inherent and should not be up for popular vote.

Women in Ireland told their stories to convey the devastating impact of the eighth amendment. It took great emotional courage for those women to speak out, and we must pay tribute to them. Why would we subject the women of Northern Ireland to the same situation? I say to the hon. Member for Walthamstow and others that we have before us in the motion a statement of intent. I am not a constitutional expert, and I do not have a great legal brain, but I have some concerns about the practicalities of it. I also see merits in the argument, and I make this commitment to her and to the women of Northern Ireland: should she bring forward proposals on this issue in the Domestic Abuse Bill, or in another way, I will work with her, and meet and engage with others across parties, to look at those proposals. The Northern Ireland Assembly must reform itself as soon as possible—

Mr Speaker: Order. We are extremely grateful to the hon. Lady.
5.31 pm

Sir Peter Bottomley (Worthing West) (Con): My understanding is that if sections 58 and 59 of the Offences Against the Person Act are repealed, it will be necessary to have some other civil law both for England and Wales and for Northern Ireland. Clearly, the abolition of sections 58 and 59 will happen, as that is what the majority in the House wants to happen. That will then provide an opportunity to the devolved Assemblies and Administrations to bring forward the laws that they think are appropriate in their own parts of the United Kingdom. As I understand it, the Offences Against the Person Act does not apply in Scotland in this regard, and that does not cause a problem. The question is how and when, and then what.

I would like to know who is the most senior person in the DUP who supports what is, to use the shorthand, a woman’s right to choose; and whether any DUP candidates in the previous general election spoke up for a view that is held quite widely in other political parties. I am not sure that I know the answer to those questions.

Sir Jeffrey M. Donaldson rose—

Sir Peter Bottomley: There is no need to provide the answer now, but, at some stage, it would be interesting to know whether there is a debate and a variety of views in the DUP. That is important in Northern Ireland.

The second question is whether we can take out the idea that this is a rarity. I do not normally talk about personal circumstances, but I have been involved in about 10 conceptions, three of which brought children who were born alive. The other seven were aborted naturally—they were miscarriages. I have had people living in my house desperate to have children, who have gone through late miscarriages—incidentally, those who think that the heartbeat starts at three weeks, but that is an unimportant detail. The question is clearly this: if there is going to be a deliberate termination, can it be as soon as possible rather than as late as it can be under the current procedures? That is one reason why we need to examine the need to have two doctors to approve a formal medical termination or whether one is sufficient, and what the protocols should be.

We need to approach this matter in this way: the world is not as we would like it to be. It is clearly wrong that, in this country, there are about 190,000 abortions a year. If we allow some people to come in from Spain, Ireland or Northern Ireland for abortions, that leaves about 40% chance that someone in this country will be involved in a conception that is ended by a deliberate termination at some stage. It is common, and it is not something for the criminal law. It is about understanding how conception takes place, whether people want an extra child when they already have five children, whether they have conceived with someone to whom they have to say, “I’m sorry, what did you say your name was?”, or whether they say, “We have lived together for two years and we hadn’t planned this.” Those are the sorts of circumstances that require openness and open discussion.

Mr John Hayes: Any legal circumstances where abortion was not in some way limited or restricted would certainly be a rarity. We have heard in this debate that abortions cannot take place from a much lower age in most countries of the world. Would my hon. Friend support that kind of reform?

Sir Peter Bottomley: My right hon. Friend will have heard me say that if a deliberate abortion is going to take place, the sooner it takes place the better. It is better that people do not face those circumstances, but when they do, the earlier the better. That is clearly right. The civil law will need to replace the criminal law.

Members who have contributed, on both sides of the House, have earned the respect of those outside. If those who oppose change can respect those who want it, we can have a better debate.

5.35 pm

Stella Creasy: I thank every Member who has contributed to this debate. I hope, first and foremost, that the Government have heard what was said by the hon. Member for Worthing West (Sir Peter Bottomley), who is my dear friend on this matter. This is a statement of intent. We want deeds, not just words. The women of Northern Ireland—indeed, the women of England and Wales—deserve modern abortion law, and we intend to work to give it to them.

I will repeat what I said in my opening speech to counter the scaremongering of the hon. Member for Congleton (Fiona Bruce), who I am sad is no longer here. She said that our proposal could result in the country providing abortion up to birth. No. This is about repealing sections 58 and 59 of the Offences Against the Person Act 1861. It is not about the Infant Life (Preservation) Act 1929.

I am disappointed that the Government sent to the debate a Minister from the Northern Ireland Office, who therefore claimed that she could not comment on UK legislation. Ultimately, what we want is a date on which the domestic abuse Bill will be brought to the House and on which the will of the House can be tested—a date not within the next 150 years but within the next 150 days.

I share the concern of the hon. Member for Lewes (Maria Caulfield) to hear the voices of the women and men of Northern Ireland. Indeed, I hope that she will go and listen to nationalist voices, particularly that of the vice-president of Sinn Féin, Michelle O’Neill, who has said that legislative change is required and backs this proposal. If the hon. Lady is speaking up for nationalist voices, she should be supporting this proposal.

I am so proud to serve in the House on this issue with the hon. Member for South Cambridgeshire (Heidi Allen) and the right hon. Members for Putney (Justine Greening) and for Broxtowe (Anna Soubry), who have made such a powerful case for change. But above all, I thank the right hon. Member for East Antrim (Sammy Wilson), who so beautifully illustrated why this change must happen in this House and why it matters. He took the floor to control this debate, because control came easily to him. That sensation of being in control and being able to make decisions about what happens is what we seek for all our constituents. I will stand up for his right as a Northern Irish man to have control over his body. All we are asking is that he stands up for the right of Northern Irish women to have control over their bodies too—not to be criminalised, but to be able to make a choice.
Let me be clear to all Members of this House—the members of the campaign, the MPs who already stand convinced and those who want to hear more arguments—that we will also make a choice: not to give up fighting for equality, not to give up fighting for the 21st century and not to give up fighting for choice for all. We trust all women. Now is the time for Northern Ireland.

Question put and agreed to.

Resolved,

That this House has considered the role of the UK Parliament in repealing sections 58 and 59 of the Offences Against the Person Act 1861.

Non-Domestic Rating (Nursery Grounds) Bill

Second Reading

5.38 pm

The Parliamentary Under-Secretary of State for Housing, Communities and Local Government (Rishi Sunak): I beg to move, That the Bill be now read a Second time.

Agriculture is at the heart of our country’s rural life, and, moreover, at the core of our rural economy. It employs over half a million people and supplies almost half of everything we eat and drink in this country. In England alone, the rural economy is worth over £250 billion. We want our country to offer unparalleled business opportunities for an agricultural community that produces some of the finest food and drink in the world. At every stage of the food chain, the UK is creating exceptional food and drink enjoyed around the world, with lucrative opportunities for British exporters, international buyers, and investors. In just 10 years, global demand has grown by nearly a third, with total food and drink exports now exceeding £20 billion.

I am proud to represent a deeply rural and agricultural constituency, home to businesses like Wensleydale Creamery, HECK sausages, Stamfrey Farm yoghurt, and Thornborough Cider—all fantastic rural businesses producing food and drink that competes with the best around the world.

This Government are absolutely committed to supporting sustainable growth in the rural economy. Through the 2014-2020 rural development programme, we are investing almost half a billion pounds in England’s rural businesses. Our support for rural enterprises includes developing farm and horticultural companies. In February, the Government launched a wide-ranging consultation on the future of farming—one that supports farmers once the United Kingdom is outside the European Union. The Government are now analysing views and responses from all stakeholders who contributed. Our ambition is for a more dynamic and self-reliant agricultural industry. Supporting our rural economy and protecting farmers is an essential part of our exit from the European Union. Leaving the EU provides the Government with a unique opportunity to establish new frameworks that support our farmers to grow more, sell more and export more great British food and drink. As we develop this new approach to food, farming and fisheries outside the EU, we will not compromise on our high standards of animal welfare and environmental protection.

The Government are set to continue to commit the same cash total—£3 billion—in funds for farm support until the end of this Parliament. Then the Government will devise a new agri-environment system to be introduced in the following Parliament.

Mr Jim Cunningham (Coventry South) (Lab): One of the big problems with regard to protecting farmers, as I am sure the Minister knows, is getting labour in from the EU and other parts of the world. That is where the big problem might lie after we have come out of the EU.

Rishi Sunak: It is not quite my place to comment on future immigration policy, but the hon. Gentleman will know that the new Home Secretary is devising a new immigration system for the UK after Brexit. Of course,
ensuring that all businesses, not just in agriculture, have access to the talent and the labour they need will be at the forefront of that new system.

The Government have also said that they will use the structural fund money that comes back to the UK following the EU exit to create a UK shared prosperity fund. The needs and interests of rural businesses have to be addressed as part of any future plans.

We firmly believe that the business rates system plays an important role in supporting agricultural productivity. The agricultural exemption from business rates is a key part of this support. It is a broad-ranging and generous tax measure that ensures that no business rates are paid on agricultural land and properties.

Sir Greg Knight (East Yorkshire) (Con): The Bill itself does not define what a “nursery ground” is, but the explanatory notes, which are not considered by Parliament and are not part of the legislation, do contain a definition of what a “nursery ground” is. Why is this? Would it not be better to put the definition in the Bill, or does it exist in other legislation?

Rishi Sunak: My right hon. Friend is right. My understanding is that other legislation has outlined the difference between the two, and I will come on to the Court decision that distinguished the treatment of the two.

It might be helpful, for Members who are not aware, if I explain the distinction. A nursery ground is where small plants or trees are propagated or sown with a view to being sold on to someone else for growing on to their mature state, for sale to or use by the end consumer, whereas a market garden is where fruit, vegetables, flowers or plants are produced to be sold directly or indirectly to members of the public for consumption.

Rebecca Pow (Taunton Deane) (Con): I have been much involved with the horticultural industry, so I am quite aware of the nursery industry, but I believe that many people are not aware of how significant it is for growing produce for our home market. We could grow it even more after Brexit—indeed, we need to—and the Bill will help a great deal by making these businesses more viable.

Rishi Sunak: My hon. Friend is, as ever, an incredible champion for agriculture and the rural community. She is right to highlight not only the current contribution of the fantastic horticultural sector to the UK economy in providing such fantastic food and drink for us to enjoy but the opportunities that will come after Brexit, as we make good on the promise of a global Britain where our food and drink exporters can look out to the world around, where demand is growing exponentially, and take advantage of all those opportunities. Consumers around the world will have the opportunity to benefit from high-quality produce developed in this country and always to high welfare standards, of which I know she is also a champion.

It is worth noting that the exemption from business rates for agricultural land has been in place since 1929. Before that, in the early part of the 20th century and before, agriculture benefited from a partial exemption from rates. For almost 100 years, the Government and Parliament have considered that agriculture would not pay rates. This Government and I trust that this Parliament has no intention for any change of direction in this matter.

It has been assumed until now that all plant nurseries where plants or trees are grown in the initial stages of their life, as I outlined, benefited from that exemption. That had always been the understanding of both rating valuers and practitioners, but in 2015, a Court of Appeal decision showed that the exemption did not apply to plant nurseries in buildings where the buildings were not used in connection directly with agricultural land. That does not reflect Government policy, and neither does it reflect our commitment to supporting sustainable growth in the rural economy.

This legislation will ensure that plant nurseries in buildings will once again benefit from the exemption from business rates for agricultural land and buildings. It will restore fairness for hard-working businesses hit by an unexpected tax burden, and it will enable the Valuation Office Agency to return to its former practice of exempting plant nurseries in buildings and removing plant nurseries that have been assessed from the business rates list. Plant nurseries paying business rates since 2015 will be eligible to apply for a backdated refund of their business rates, which will ensure that these businesses do not continue to suffer as a result of a property tax with an impact on the cost of farming and produce.

Bob Blackman (Harrow East) (Con): My hon. Friend is clearly laying out the Government’s position, but can he clarify one issue that has been raised with me? Garden centres are commercial centres for direct provision to the public, but what will be the position under the new legislation of hybrids—in other words, plant nurseries with a garden centre alongside them that sells their produce directly to the public?

Rishi Sunak: I thank my hon. Friend for bringing up a helpful and important point that is worth clarifying. Under current legislation, garden centres are not used in connection directly with agricultural land and so from paying business rates because they are not treated as agricultural businesses, which I am sure hon. Members will understand. It would be for the Valuation Office Agency to determine the individual facts of the case that he mentioned, but in general, it is perfectly possible for different parts of an entity to be treated in different ways. In the example he gave of a hybrid, where an agricultural business also had a retail operation, the Valuation Office Agency would be able to treat different parts of the business in different ways, and some may benefit from the agricultural exemption. Another example might be a working farm that also happens to have a retail element—for example, a farm shop—that might not benefit from the agricultural exemption, whereas the rest of the farm would. I hope that that clarifies my hon. Friend’s query.

In developing this legislation, we have worked very closely with the National Farmers Union to make sure that the measure meets our shared aim of ensuring that plant nurseries benefit from the agricultural exemption. I want to put on the record my thanks to the NFU for its invaluable insights and expertise, which has helped us to bring this effective legislation to the House. I very much welcome its support for the Bill.
I also want to put on the record my thanks to my hon. Friend the Member for St Austell and Newquay (Steve Double). He deserves enormous credit for highlighting this issue to both my predecessor and others last year, and he has continued to press the case with Ministers and other parts of the Government. I am glad that he will be able to see the fruits of his labour brought to bear today.

To return to the comment made by my hon. Friend the Member for Harrow East (Bob Blackman), the Bill will not otherwise disturb the existing boundary of the agricultural exemption, so uses beyond agricultural operations, such as garden centres, will continue to be subject to the normal business rates process.

Sir Greg Knight: Is the Minister in effect saying that all the Bill does is return the law to the same state we all thought it was in before the case of Tunnel Tech v. Reeves?

Rishi Sunak: My right hon. Friend is absolutely right: that is what the Bill seeks to do. It is a limited, targeted Bill that restores the practice previously widely accepted and understood by all participants in the rating system and ensures we will return to the state that existed before the Court of Appeal decision.

While I am responding to my right hon. Friend, let me clarify my earlier point. He asked where exactly the definition of nursery grounds can be found. I am reminded that it is precisely defined in case law, rather than in statute. That is where the definitions used over the years have been developed.

To turn to the business rates system in general, the Government are very clearly using the business rates system to create opportunities and to drive growth across the country. The Government have introduced a range of business rates reforms—worth over £10 billion by 2023—that will benefit the wider economy, including many businesses in rural areas. In April 2017, we permanently doubled small business rate relief to 100% and raised the threshold from £6,000 to £12,000. As a result of these measures, over 600,000 small businesses—occupiers of a third of all properties—now pay no business rates at all. This demonstrates the Government’s clear commitment to supporting small businesses. We understand the impact of business rates in the rural economy in particular, so at the same time the Government also doubled rural rate relief from 50% to 100% for eligible businesses.

Rebecca Pow: I have an urban area in Taunton Deane, but I speak as someone whose constituency is particularly rural. There is a view that there is an increasing divide between urban and rural, particularly in the south-west, where we are largely rural. These business rates exemptions are absolutely crucial. Does the Minister agree that this Government are very much indicating that they understand their importance?

Rishi Sunak: My hon. Friend is absolutely right. She will know that I also represent a deeply rural constituency. I have seen at first hand the incredible difference that the business rates exemptions make to small rural enterprises, whether they are small business rate relief, rural rate relief or, indeed, some of the measures to support pubs that the Chancellor has announced in the last Budget or two. All of these measures add up to tangible savings for thriving enterprises, which are indeed the lifeblood of rural areas.

My hon. Friend will know, as I do, that rural areas typically do not benefit from large multinational employers. The backbone of rural economies are small and medium-sized enterprises, for which business rates are often a significant cost to bear. Any relief that the Government can give is always warmly welcomed, and it makes an enormous difference to their profitability and future success.

I am pleased to tell my hon. Friend that the Government continue to listen to business. At the spring Budget last year, the Chancellor announced a £435 million package to support rate payers facing the steepest rises in bills following the revaluation. Further answering calls from businesses, the Government brought forward to April this year the switch in the annual indexation of business rates from the retail prices index to the consumer prices index. That represents a cut in business rates every year. Although bringing forward that measure two years earlier than previously planned might sound technical, it is worth £2.3 billion over the next five years.

Furthermore, at last year’s autumn Budget the Chancellor also announced an increase in the frequency of property revaluations from every five years to every three years following the next revaluation. That will ensure that bills more accurately reflect properties’ current rental value and relative changes in rents. The 2018 spring statement announced that the next revaluation would be brought forward to 2021 from 2022, so that businesses can benefit from the change as soon as possible. After that, three-year revaluations will take effect in 2024.

To deliver on that commitment, the Government have already introduced secondary legislation to set the valuation date for the next revaluation on 1 April 2019, allowing the Valuation Office Agency to start preparing for a 2021 revaluation. The Government will introduce primary legislation to change the date of the next revaluation to 2021 in due course. The British Retail Consortium recognised that that was a positive move to improve the fairness of the system, and I look forward to meeting its representatives shortly.

In spite of all that, the Government are not resting on our laurels. We are also reviewing the wider taxation of the digital economy, and the Chancellor has been clear that we need to look more broadly at the overall taxation of the digital economy. The Government are working internationally to ensure that corporate tax rules deliver fairer results for certain digital businesses. We will use the output of those discussions to help inform consideration of the wider business tax system, to ensure that all businesses make a fair contribution to the public finances and that business rates continue to support the stability of local government funding.

Sir Greg Knight: I am grateful to the Minister for his generosity in giving way. What would be the position of a business adversely affected by the Court of Appeal decision? Would it be able to claim compensation for any losses suffered?

Rishi Sunak: I am happy to tell my right hon. Friend that businesses will absolutely be able to claim back any business rates they have paid from 1 April 2015. In Wales,
businesses will be able to claim back to 1 April 2017. It might help Members if I explain the difference between the two dates.

The business rates system in England has relative lists of valuation dates—there is a 2010 list and a 2017 list. When we reach a certain point, it is then impossible to go back and change the list from the beginning. In this case, for any decisions that the Valuation Office Agency made after the spring of 2016, it was only possible to go back and change people's bills to April 2015. Our understanding is that only a handful of businesses have been caught, and they will be able to use this legislation and subsequent regulations to appeal to the Valuation Office Agency and receive a refund backdated to when they first started paying bills.

**Sir Greg Knight:** Will the Minister clarify something—and if he cannot answer today, will he write to me? In addition to claiming back what has already been paid, will the businesses affected be able to claim costs and any other expenses arising out of the money that they erroneously had to pay?

**Rishi Sunak:** The businesses will not be able to claim costs; the new “check, challenge, appeal” system allows them to make a no-cost filing with the Valuation Office Agency, so there will be no cost to them as they claim back the bills they paid. However, it is important to note that, when they paid, the bills were not paid in error; they reflected the circumstances on the ground at the time.

I said that I would clarify why the date in Wales is different from the date in England. It is purely on the advice of Welsh Government officials. They do not believe that any businesses have been caught up by this in a way that would impact their previous list. In Wales, therefore, any active businesses caught up in this will only have their bills backdated to 2017 at the start of the new and current ratings list. Further retrospective dating is therefore not required.

**Bob Blackman:** My hon. Friend is clearly setting out to answer many of the questions from across the House. Will he clarify the number of businesses caught up in this and the total amount of money involved? I quite understand if he is unable to answer those questions today, but it would be helpful to many colleagues if this could be clarified subsequently in writing.

**Rishi Sunak:** I can answer my hon. Friend’s question now. The Government do not actually know, and are not in a position to know, the tax or business rates circumstances of individual businesses across the country. The VOA is under no obligation to share confidential taxpayer information with the Department. What I can say, based on informal conversations with the sector and the VOA, is that we believe just a handful of businesses impacted by the court ruling have subsequently had their bills changed. That is the working number we are aware of and I hope that provides the clarity he requires.

To return to digital taxation, the paper published at the 2017 autumn Budget sets clear expectations on what the Government hope to achieve on digital taxation: international momentum behind long-term corporate tax reforms and, pending that, the development of interim multilateral digital tax measures.

In conclusion, the Bill delivers on our commitment to support the rural economy and promote this country’s rural life. Moreover, it promotes fairness for hardworking businesses in the agricultural sector. I believe that it has widespread support from the agricultural community and valuers around the country. I very much commend it to the House.
We welcome the fact that the policy is being applied retrospectively. It will mean that businesses will not be at any direct financial disadvantage and will get back the money that they paid in business rates. However, we need to see what the Bill means for local authorities. The Government have been clear in this and previous Bills that when they are rectifying the decision of the court, their view is that the local authority involved effectively had a windfall for a short period. I just do not believe that is the case at all. Any money that is taken out of a local authority’s base budget, particularly when that local authority is part of a business rates retention pilot, will be a net loss with regard to the money that it has to spend on public services in its area.

While I acknowledge what the Minister said, I am not sure that “a handful” is a number. The Government do not know the number—[Interruption.] Let us say five then—no more than five. However, a very worrying precedent is being set whereby the Government can bring legislation through the House that has a direct financial impact on the funding of public services by local authorities and choose not to reimburse local authorities for the money that has been taken away. While we accept that only a handful of businesses have been affected in respect of this Bill, a Bill could come tomorrow that affects hundreds of local authorities and thousands of businesses, involving many millions of pounds, but the Government take the same approach and stance. It is not fair, proper or in the interests of good governance for us to make decisions without knowing their full impact. If we are to receive another Bill of this nature, I ask the Minister to clarify this.

As an MP, I have had the opportunity to visit many of these businesses and see what 21st-century farming looks like. In many cases, it is not what I had imagined. Much of the growing occurs indoors in a highly controlled and precisely monitored environment, ensuring that crops are grown efficiently, sustainably and to the best quality. Some growing practices involve moving crops from nursery grounds, whether in glasshouses or polytunnels, to open fields or other larger glass houses. However, what is clear is that each of these growing cycles is agricultural and should be classified as such.

The Tunnel Tech Ltd v. Reeves case brought to light a legal anomaly in how the Valuation Office Agency assesses business rates in agriculture. In doing so, the case broke with nearly 100 years of even treatment from agricultural business rates for nurseries. Many businesses in my area are therefore pleased that the Government have brought forward this Bill to amend existing legislation and rightly deliver on their commitment to ensure that nurseries are treated as agricultural buildings.

Speaking to the West Sussex Growers Association ahead of this debate, I was told of growing concern, in the light of the Tech Tunnel Ltd v. Reeves case, for future assessments by the Valuation Office Agency of other agriculture buildings. There is now concern that historical exemptions applying to ancillary buildings for packing, offices or energy production, for example, may come under threat. I ask the Minister to clarify this.

We look forward to finding reasons to talk at length about the Bill in Committee, as well as to finding other reasons to talk about it at length on Third Reading when it comes back. I implore the Minister, however, to look at his forward plan to see what elements can be brought together to save time on the Floor of the House.

6.7 pm

Gillian Keegan (Chichester) (Con): Chichester is home to a vibrant rural economy that is worth over £1 billion to the area and employs 9,000 people. It is the largest single employer by sector. We have a major growing environment, and this is due to our wonderful environment—our weather, sunshine and, mostly, proximity to the coast means that we have 10% more light than any other area in the UK, and that boosts growing conditions. As an MP, I have had the opportunity to visit many of these businesses and see what 21st-century farming looks like. In many cases, it is not what I had imagined. Much of the growing occurs indoors in a highly controlled and precisely monitored environment, ensuring that crops are grown efficiently, sustainably and to the best quality. Some growing practices involve moving crops from nursery grounds, whether in glass houses or polytunnels, to open fields or other larger glass houses. However, what is clear is that each of these growing cycles is agricultural and should be classified as such.

The Bill will ensure that agricultural land and buildings are not liable for a property tax that could otherwise have a significant impact on the cost of farming and produce, and we must make sure that this remains the case. I fully support the Bill as it works towards the Government’s commitment to a productive and sustainable agricultural sector, which is so important to rural economies such as Chichester, and will become increasingly important as we leave the European Union.

6.12 pm

Matt Warman (Boston and Skegness) (Con): We are always being told that debates in Parliament should be about real people, not statistics, and in that spirit, for me, this debate is about cabbages and flooding, not business rates per se.

This matter first came to my attention when the Black Sluice drainage board came to me deeply concerned about the prospect of losing £23,000 as a result of the levy. Worrying though that was, it turned out that a business in my constituency—it is incredibly rural, and in many areas business rates payments are very little, which is why I have some concerns about business rates retention, although we will gloss over that—was, although set to see its drainage levy fall by £23,000, faced with a business rates rise of well into six figures. So my drainage board—one of several in my constituency—was in a state of some confusion over the prospect of not having enough money to keep people’s feet dry, and my local businesses were in a state of perturbation at the prospect of going bankrupt.
This anomaly was a real issue for my constituents, as it was for those of my hon. Friend the Member for Chichester (Gillian Keegan). When I went to see R. Fountain & Son, the business in my constituency, I was delighted to discover not just its confidence in expanding its business, this potential problem aside, but how much it led not just Lincolnshire—a pretty difficult place to lead when it comes to growing brassicas—but the country in terms of its technology. In collaboration with the National Farmers Union, whose work on this I pay particular tribute to, it alerted me to the anomaly arising from the Tunnel Tech case and the ramifications of that case for it and others running glasshouses across my constituency.

Sir Greg Knight: I believe that my hon. Friend’s constituency contains two villages called Bicker and Wrangle, which I have always thought would make an excellent name for a law firm.

It was suggested earlier that there should be a compensation fund for those who had had to pay rates in the past, and also for local authorities that had suffered loss. What is my hon. Friend’s view on that, and who does he think should pay for such a fund?

Matt Warman: My constituency also contains a village called Old Leake, which is in the same ward as Wrangle. “Wrangle and Old Leake” surely has some comic potential as well. I agree with my right hon. Friend that businesses that have paid out—I should say that I do not believe that Fountain is in that position—should be entitled to the refund that the Minister suggested, and the Government should consider establishing such a fund if compensation is due.

Having been exempted from rates since 1929, the businesses to which I have referred were faced with a number of factors that they had previously never even had to consider incorporating in their business models. I understand that glasshouses, which are obviously of huge concern to a constituency such as mine, have been exempted since the 1990s. An issue on which businesses throughout this section of the economy have been entirely predicated was upended by the courts almost overnight.

I agree with the hon. Member for Oldham West and Royton (Jim McMahon) that the Government deserve some credit for seeking to clarify what might have been an important issue had the system been allowed to persist. There was real concern—not just among businesses in my constituency—when it became obvious that the Valuation Office Agency was going down this path. I began by saying that the issue was about brassicas and flooding, but in fact it is about the jobs that would have been at stake. If the Government had not intervened to clarify the position, people would undoubtedly have found themselves out of work.

I pay tribute to my hon. Friend the Member for Nuneaton (Mr Jones), who at the relevant time had ministerial responsibility for these matters. Having visited those at R. Fountain & Son and reassured them that I was confident that such an extreme situation could only be the result of a mistake rather than Government policy, I had the extraordinary and delightful experience of mentioning that to my hon. Friend in a Lobby—he may not even remember it—and being told that the Government were already looking into the matter. It was a pleasure to be able to go back to businesses in my constituency and say that the Government would not be daft enough to increase their business rates so suddenly and massively.

To be honest, however, it was an even greater pleasure to go back to the drainage board. While I obviously care greatly about businesses throughout my constituency, the work of drainage boards in Lincolnshire is particularly and enormously valuable. They do huge service to the broader economy, and provide a great deal of reassurance through their work with the Environment Agency across the broader flooding landscape. Given that, according to the Association of British Insurers, my constituency is at greater risk of flooding than any other, I am particularly alive to that.

As I have said, my constituency is largely agricultural, and we are grateful for the business rates retention pilot. The Department is obviously aware of what must be done to ensure that business rates retention works for the areas to which it is applied, and that we do not end up losing out overall and accidentally giving more money back to the Treasury. I know that it does not intend that to happen in any circumstances.

I hope that Members will bear in mind that the Bill represents a useful endeavour to fix a problem that would have had a real impact not only on the local economy and jobs in my constituency, but on the availability of cabbages throughout the country, about which I know the House cares deeply. I also hope that, while accepting my praise for his swift action, the Minister will bear in mind that it highlights what business rates retention may well look like as we proceed with what I consider to be a worthwhile and popular policy.

Rebecca Pow: Does my hon. Friend agree that it is heartening that although people often think that we in Parliament are powerless and are not listened to, when my hon. Friend went to the Minister about his cabbages, the Minister listened and we have done something that will help? That is a positive message. It might be a small thing to many people, but this is a positive message that, with cross-party work, we can make something happen.

Matt Warman: I agree with my hon. Friend, and this shows the power of my hon. Friend the Member for Nuneaton, and now the power of the two current Front Benchers. I agree with the Opposition spokesman that it is of course a good thing to work cross party on such an issue, which relates to not an intentional decision taken by the Government, but a decision by the courts that risked upending a long-standing principle.

I pay tribute to the work of my hon. Friend. Friend the Member for Nuneaton and those who have continued his work. I hope that the one wrinkle in the potential of the excellent notion of business rate retention will be considered in the context of these sorts of decisions. Such decisions could of course come up again, because people do go to courts, and courts do produce judgments that perhaps surprise all of us. In this case, the decision certainly surprised my drainage board and farmers such as Fountains. I praise the Government and hope we can get on with this as soon as possible.

Rebecca Pow (Taunton Deane) (Con): I am delighted to follow my hon. Friend the Member for Boston and Skegness (Matt Warman), and I want to add my comments...
on what is a very precise Bill. Although it relates to plants, it is not in any way flowery; it is a tight, neat little Bill that very much that does what it says on the tin—or, we might say, on the plant pot.

The Bill exempts from non-domestic rates buildings that are, or form part of, a nursery ground. That is highly significant for our highly professional and essential horticultural industry, which does not often get as much attention as it deserves. The horticultural industry supplies many fantastic plants for the whole nation, and as the Minister mentioned—I am glad he referred to this—there is scope for the industry to increase.

Julian Knight (Solihull) (Con): I pay tribute to my hon. Friend for her knowledge in this area; in fact, I think she was a TV star in the horticultural sphere for a short time. Is it not true that the changes in the Bill will make it much easier for plant nurseries to grow and be productive?

Rebecca Pow: Yes, and I thank my hon. Friend for his intervention. One of the programmes my name was attached to was called “Loads More Muck and Magic.” It was a Channel 4 series and it was all about growing plants organically, which is terribly trendy now, so it was a bit ahead of its time—it was all ponytails and carpets then, though. It was filmed not far from my hon. Friend’s constituency at the Ryton organic gardens at Ryton-on-Dunsmore, which is still a terrific centre for organic gardening. The organisation there was called the Henry Doubleday Research Association, and it did a lot of great work on how to grow plants and what we should all do as growers at home.

My hon. Friend makes the good point that this Bill looks very much at the beginning of the plant chain when people take seeds and grow them—that exciting germination and propagation process that grows up plants, which can then be handed through the chain. I will go into that in more detail shortly, but it is an area that people forget about, even though it is such a valuable part of this important industry.

Although this is a great industry and it is highly valued, it is quite difficult to put an exact value on the horticultural trade. For example, estimates show that the whole gardening industry—that category is very wide, and would include garden tourism and events such as the Chelsea and Hampton Court flower shows—is worth approximately £16 billion to the economy and employs 300,000 people.

Normally, however, the best measure of an industry’s contribution to the economy is gross value added. I am not an economist—I am sure that most of my colleagues are much more knowledgeable about this than I am, particularly the Minister, who I know is very good with his figures—but I believe that GVA measures the value of an industry’s goods or services to the economy, excluding any goods or services used in production. However, that breakdown of statistics is not carried out for the horticultural industry. If it were, we would have a much better figure to show just how important the industry is. Should the Minister ever move to the Treasury, he may well do, given his mathematical brain—he might like to look into that GVA anomaly. That would be incredibly helpful to the nation as a whole, particularly in the light of Brexit. It is hard to grow an industry and attract the investment that it needs if we do not have the exact figures relating to that industry. You might think that I am digressing, Mr Deputy Speaker, but I think this is an important point.

Julian Knight: I do not think that my hon. Friend is digressing at all. In fact, she has made a germane point in mentioning the 300,000 people who work in the industry. Does she agree that if we can get people to plant more and get them really interested in horticulture in ways such as this, we could get a great deal closer to self-sufficiency, not only in food but in plants?

Rebecca Pow: My hon. Friend is a man after my own heart. I do not know whether you are a gardener, Mr Deputy Speaker, but I am—

Mr Deputy Speaker (Sir Lindsay Hoyle): A reluctant gardener.

Rebecca Pow: A reluctant gardener? That’s okay. You can garden from your chair, or in a window box, but you can get your fingers into the soil. My hon. Friend the Member for Solihull (Julian Knight) is absolutely right to say that we could increase our home growing, but we could also increase the health and wellbeing that people get from being engaged in the soil and growing things. Horticulture is such an exciting area to be in, and it is also very good for mental health. My hon. Friend makes an excellent point.

The industry itself believes that if we had the statistics that I was talking about, it would be possible to grow the industry by £18 billion. I am pleased to say that the ornamental horticultural roundtable group, in which I have been much involved, has commissioned Oxford Economics—at the vast expense of £50,000—to look into the value and economics of the ornamental horticultural sector. That is just one section of the horticultural industry, but it is pertinent to what we are talking about today. I urge all my colleagues to join the all-party parliamentary group on gardening and horticulture if they are not already members of it, because we have interesting trips to places such as Chelsea and glean a lot of excellent information. The group is also looking into the issue of growing the horticultural industry in the context of Brexit.

The ornamental plant industry supplies our landscaping industry and our popular gardening sector with wonderful bedding plants and perennials, and it is thought that that sector was worth £1.4 billion in 2017, which represents an increase of 4.8% compared with 2016. So the sector is on the up, and it could increase more. It could be a much more viable industry with this essential business rates exemption, and the more we can grow the industry, the more it will benefit the economy, particularly in the south-west.

Mr Marcus Jones (Nuneaton) (Con): It has been great to hear about the all-party parliamentary group—perhaps I should dig out the details. Coming back to the exemption that the Bill is likely to provide, my hon. Friend has talked at some length about the fact that the industry is now able to grow. Is it not also the case, however, that the tax that was imposed by the Court of Appeal could well have had a significantly detrimental effect on many growers, particularly the smaller businesses that would have been most affected?
Mr Deputy Speaker (Sir Lindsay Hoyle): Order. I could put the hon. Gentleman on the speaking list if he would like. I will put him on it with pleasure, but we must have short interventions.

Rebecca Pow: I thank my hon. Friend and apologise to you on his behalf, Mr Deputy Speaker. However, he made a useful intervention, because I am going to come on to that point. That issue was causing concern among many businesses, because it would have cost some of them hundreds of thousands of pounds, and some smaller businesses could have been wiped out, so this is a serious point.

Sir Greg Knight: First, does my hon. Friend share my disgust that not one Liberal Democrat MP is in the Chamber to discuss an important matter affecting rural communities? Secondly, although retrospection in law is generally to be frowned upon, does she agree that it is most welcome in this case because we are righting a perceived wrong?

Rebecca Pow: We began this debate on a cross-party basis, and I am loth to say anything more controversial, but he makes an exceedingly good point about the Liberal Democrats. They were large in the south-west, but we wiped them out—as one does with a weed wiper, to use another horticultural term. The south-west is a rural region, and gardening and horticulture are important parts of our economy. One would have thought that the Liberal Democrats might have realised that and turned up, but yet again it is the Conservative party that speaks up for the rural community, and I am proud to be part of that community. [ Interruption. ] The hon. Member for Stroud (Dr Drew) is also here, of course.

The south-west has a good climate for horticulture, as does Chichester, and horticulture and gardening are important in Taunton Deane. We have some wonderful open gardens and visitor attractions, such as at Hestercombe and Cothay, hundreds of private gardens, and many allotment holders, many of whom have plants that started their lives in the nurseries that we are talking about today. I had a marvellous Sunday planting out my fuchsias, geraniums and alyssums into my tubs and containers, and they would have started life at one of those nurseries. I had a lovely time, and the weather was beautiful.

To get back to the Bill, which is going to come to fruition today—to use another horticultural term—nursery grounds were exempt from non-domestic rates from 1928 until recently, when the Court decision that we have heard about found exemptions to be an incorrect application of the law. As I said, that change caused a huge amount of worry in the nursery industry, where margins are tight. The Horticultural Trades Association reported that the change would be detrimental to the industry, inevitably driving up costs if nurseries had to pay business rates that they had not been paying previously, and that those costs would be passed on to the consumer. As Conservatives, that is not something that we are in favour of.

Several hon. Members rose—

Mr Deputy Speaker (Sir Lindsay Hoyle): Order. I do not mind if you want to pad out the debate, but I am bothered by the fact that we have another Back-Bench speaker to come and I still have to bring in the Front-Bench speakers, so I do not know whether you still want to give way.

Rebecca Pow: Thank you, Mr Deputy Speaker. If it will be short, I shall take an intervention from my hon. Friend the Member for Chichester (Gillian Keegan), who has not yet intervened.

Gillian Keegan: My hon. Friend was talking about the prosperity of our economy. Does she agree that the growers and the farming industry of the future are important to that prosperity? There are many technological changes coming along in germination, for example, and our growers and farmers do not want to be sat there thinking about rates on particular buildings or polytunnels. The Bill is important to allow flexibility and ensure sustainability so that we have a thriving food economy.

Rebecca Pow: That is a good point. Industries such as horticulture are not quick—it takes time to grow plants and for them to go through the cycles, so it is important that businesses have the security and confidence that this Bill will put back into their lives. I am grateful for that.

The HTA has reported that some members are facing bills to the tune of hundreds of thousands of pounds, which we do not want. I am pleased the Bill clarifies the situation and is aligned with the previous practice of exemptions. I am particularly pleased to hear that the funds will be backdated, as the Minister clearly said.

I thank the Minister, because many colleagues on both sides of the House have been to see him, and he has listened. That is what people want from the Government, and we are making the change. This is the right way to go. The turnaround supports the Government’s commitment to a vision of a productive, competitive and sustainable UK agricultural sector, of which horticulture and the plant nursery sector are an important part.

Plant nurseries are under the microscope in the Bill, and they are important to our landscaping industry and to our towns that have been landscaped. Taunton has just received garden town status and will be seeing more landscaping. We want more trees and, as the MP, I have laid claim to that and have said that we must have more trees in our urban environment. Local authorities are not necessarily keen on having more trees, because they claim trees have a high maintenance cost, but we will change their mind.

Plant nurseries are hard-working businesses with soil under their fingernails. They grow plants from seed to germination to propagation, and many nurseries then sell them on to the next stage for businesses to grow them before they ultimately get into the market. That is what the Bill is about—plant nurseries are important stepping stones.

Nurseries will become increasingly important, because we need to increase our home-grown production, if nothing else, to prevent the threat of pests and plant diseases coming in from abroad. There is a terrible disease called xylella that is wiping out olive trees and many other herbaceous and woody commercial plants in Europe. We do not want that in the UK. If we grow more plants at home, and if we help our businesses with business rates exemptions such as this, we can expand and grow our own industry. That is essential, because
there is a great line of diseases waiting to march in here on imported plants. We have a very good biosecurity system, but there is always a danger of disease. The more we can help our businesses to grow with Bills such as this, the fewer diseases we will have in this country.

The Bill will help an industry with very tight margins. It is a crucial step, and I know the Minister is taking it all to heart because he is committed to enabling the viability of the agricultural industry, rather than saddling it with a property tax. The Bill is about supporting the economy, and it is vital for the south-west, where horticulture is so important. Horticulture needs to grow, and I hope the Bill and the plant nurseries it supports will blossom.

Bob Blackman

Mr Deputy Speaker (Sir Lindsay Hoyle): Bob Blackman, you have one minute before the Front-Bench speeches.

6.38 pm

Bob Blackman (Harrow East) (Con): It is a pleasure to follow my hon. Friend the Member for Taunton Deane (Rebecca Pow). We have discovered that she is clearly a star of stage, screen and media. I pay tribute to my hon. Friend for St Austell and Newquay (Steve Double) for raising this issue in the first place. Equally, I pay tribute to my hon. Friend the Member for Nuneaton (Mr Jones) who made the commitment on behalf of the Government, and I thank the Government for delivering on that commitment.

The devil is in the detail. In my constituency, on the edge of the green belt in London, we have plant nurseries that are growing plants, as well as garden centres that are selling them. One of the institutions in my constituency that has had a problem has been held back: young people with learning disabilities are planting plants and growing them for commercial sale, but the investment in that has been held back because of the very decision we are discussing. So I trust that when we clarify this, it will be clear.

The final thing I want to say is that the devil is in the detail and we need to clarify the provision in respect of plant nurseries and garden centres. We should not run the risk that certain people may choose to ride roughshod over the intentions of the House by turning garden centres into plant nurseries and trying to avoid paying business rates as a result. With that, I strongly support the Bill.

6.40 pm

Yvonne Fovargue (Makerfield) (Lab): I am pleased to say that this Bill has been addressed in a climate of co-operation, as has been said. The Bill iron out an anomaly in the business rate system highlighted by the Tunnel Tech case, as we heard from the hon. Member for Chichester (Gillian Keegan), and it is the right thing to do. It removes unnecessary doubt, although, as the hon. Member for Harrow East (Bob Blackman) has highlighted, there are still little grey areas and perhaps those need looking at in the future. The Bill will make claims clearer for small businesses and, we hope, avoid lengthy and costly court cases in future.

We have all heard how important the horticultural industry is to many areas, and the hon. Member for Taunton Deane (Rebecca Pow) highlighted that. We also heard about the many variations in the horticultural and plant industry, and she has tempted us to go to look at her garden after all she said about planting this weekend. There is an increased use of new technology, with the polythene tunnels and grass and crop growing, and of businesses that specialise in one discrete stage of the growth and do not rear the crops to their mature state ready for the market. Fewer distinctions seem to be made between “nursery ground” and “market garden”, and the Bill does recognise that, even if it retains the terminology. A lot of businesses contain elements of both and simply prefer to see themselves as “food growers”, rather than separating the businesses out.

Nobody here wants to stand in the way of home food production, or of more crop-growing operations taking place under the cover of polythene or involving some of the many other novel, innovative techniques that our growers are looking at now. That can lead to cost savings for consumers and more efficient use of limited land, and, as we have heard, it can also protect us from bringing in imported seeds, which may also bring in imported diseases. The hon. Member for Boston and Skegness (Matt Warman) highlighted the fact that removing some of the anomalies and giving people confidence that the business rates will not be charged allows his local businesses to grow.

Dr David Drew (Stroud) (Lab/Co-op): Does my hon. Friend accept that this is one piece of evidence of a Government agency, the Valuation Office Agency, seemingly overstepping the mark, causing confusion and not a little additional cost? Does she agree that this Government need to get a grip on this sooner rather than later?

Yvonne Fovargue: I do agree with my hon. Friend. Indeed, this is not the first time the VOA has caused confusion. To see that, we have only to look at the combined premises Bill that had to be brought before the House to separate out the issue of whether premises were conjoined because of how close they were. That was discovered to be wrong from the VOA, too.

I am pleased that the Government have confirmed that the revenue they have received from plant nurseries being assessed for business rates will be returned, but I am not sure we can call it an unexpected windfall. This is money that the local authorities will have factored into providing local services. The hon. Member for Taunton Deane said this could be hundreds of thousands of pounds in some cases, and that is a big loss to a local authority already struggling with the Government cuts at the moment. I agree with my hon. Friend the Member for Oldham West and Royton (Jim McMahon) that this and all policies should be costed. Without that, the effective scrutiny of financial implications is impossible. It is just not good enough to talk about a “handful” if that handful involves hundreds of thousands of pounds to a local authority. I would like to see this and all future policies costed. If the VOA will not give the figures to the Government, surely the Government should be telling that other arm of government, as it is a Government agency, that they need these figures.

6.44 pm

The Parliamentary Under-Secretary of State for Housing, Communities and Local Government (Nigel Adams): I have 15 minutes in which I have the pleasure of winding
up this incredibly interesting and broad-ranging debate on an important subject. I am grateful for all the valuable contributions that have been made; it has been helpful for me to hear Members’ views ahead of further scrutiny of the Bill. There have been contributions from all parts of the House—well, almost all parts—and they have all been very well informed.

I wish to respond to some of the points that were raised, but first I wish to refer to the opening remarks by the Under-Secretary of State for Housing, Communities and Local Government, my hon. Friend the Member for Richmond (Yorks) (Rishi Sunak), and to flesh out his comments on what we have done to improve the revaluation process. As my hon. Friend noted—[Interrupt.]—Mr Deputy Speaker, I never knew how much interest there was in plant nursery grounds.

Mr Deputy Speaker (Sir Lindsay Hoyle): The Whips are being sent like London buses!

Nigel Adams: There are Whips at the Bar of the House who when they noticed a nursery grounds Bill thought it referred to Lords nursery ground, rather than to plant nurseries.

Let me build on some of what my hon. Friend the Minister said earlier. We heard from stakeholders that the normal five-year revaluation cycle was too long. They told us that the property market can sometimes move very quickly and a five-year period can therefore leave rateable values out of date for some time. We recognised that that was unfair. [Interrupt.] They are still coming, Mr Deputy Speaker. We listened to stakeholders’ concerns, which is why we announced in the autumn Budget 2017 that we will move to a three-year revaluation period.

To help businesses further, we have moved the next revaluation forward from 2022 to 2021. [Interrupt.] My right hon. Friend the Minister for the Armed Forces is here; there is clearly a Ministry of Defence interest in the Bill. The steps we have taken have been welcomed and supported by ratepayers across all sectors. The VOA has started to prepare for the 2021 revaluation and we have ensured that the agency is sufficiently funded to carry out high-quality valuations.

Let me turn to the points raised by the Opposition. The hon. Member for Oldham West and Royton (Jim McMahon) asked whether ratepayers would be paid interest on any repayments made as a result of the Bill. In principle, ratepayers are entitled to receive interest for overpayments, including as a result of the Bill, but it is only fair that the interest is tied into the actual cost of money and that ratepayers do not gain overall from receiving repayments if they are found to have been paying too much. To ensure that that is the case, the rate of interest is set at 1½% below the average base rate of the largest banks. The reality is that not much interest will be paid back—in fact, there will be nil.

The hon. Gentleman also rightly asked why the Government are acting now and what other cases are in the pipeline. The court decision was indeed taken in July 2015, but it was right that the Government and the VOA looked into the impact of the decision and how it would be applied in practice before deciding whether to change the law. A written ministerial statement was made in March 2017, and a further written ministerial statement in 2018 restated the Government’s intention to legislate and make the changes in the Bill.

My hon. Friend the Member for Chichester (Gillian Keegan) is the most fantastic champion of rural issues in Chichester. She asked whether ancillary buildings are exempt. They may very well be—it will of course depend on the facts on the ground—but it is for the VOA to decide whether rates are payable.

My right hon. Friend the Member for East Yorkshire (Sir Greg Knight) displayed his disgust at the fact that there were no Liberal Democrats present in the Chamber for this debate. It may very well be the case that one can get an entire parliamentary Liberal Democrat party into two London cabs. I am very pleased to see that the hon. Member for Stroud (Dr Drew) did make his way in for this debate.

In conclusion, this Bill will deliver on the Government’s commitment to ensure that plant nurseries can continue to benefit from this important agricultural exemption. Members have raised a number of interesting points in today’s debate, and we will return to them at a later date. I hope that we can all agree that the overall aims of the Bill and the positive impact that it will have on the rural economy mean that it should be welcomed, and I commend it—

Steve Double (St Austell and Newquay) (Con): Before I commend it, I will give way to my hon. Friend.

Steve Double: I am very, very grateful to the Minister for giving way. I congratulate him and say that it is great to see him in his place. May I place on the record my deep gratitude to the ministerial team, and indeed to the former Minister, my hon. Friend the Member for Nuneaton (Mr Jones), for bringing forward this measure? Will the Minister join me in acknowledging the very important role that the National Farmers Union played? It first brought the matter to my attention, which led to me raising it in the House. It has played a very important role in speaking up for its members, and it is only right that we acknowledge the role that it has played in this.

Nigel Adams: I absolutely agree with my hon. Friend. In fact, without his amendment on the Local Government Finance Bill, I am not entirely sure that we would have got to this measure so quickly, so he should be congratulated, along with the NFU and everybody else who has contributed to the Bill.

Mr Deputy Speaker, I am wearing a new set of glasses. I thought that the clock said 6.59, but it actually said 6.49, so, if you do not mind, as there are so many Members in the Chamber, they may very well want to hear some more about what this Government are doing for the rural economy.

Sir Greg Knight: I am most grateful to the Minister for giving way. Perhaps he should have gone to Specsavers. Will he say a little bit more about compensation? Some of the people who have to pay rates, which they will now have to pay back, may have based their business investment decisions, based on a business expense that they were not expecting. There is an arguable case in future for our looking at the issue of compensation again.
Nigel Adams: What I can tell my right hon. Friend—it is not the answer that he will want to hear—is that there will be no compensation paid to these businesses. We are talking about a very small number of organisations and businesses that are affected and a relatively small sum of money.

In the absence of any more interest in this debate, I hope that we can all agree across this House that this Bill will have a positive impact on the rural economy and that it should be welcomed. I am sure that we all look forward to being able to flesh it out further during its later stages, and I commend it to the House.

Question put and agreed to.
Bill accordingly read a Second time.

NON-DOMESTIC RATING (NURSERY GROUNDS) BILL (PROGRAMME)

Motion made, and Question put forthwith (Standing Order No. 83A(7)).
That the following provisions shall apply to the Non-Domestic Rating (Nursery Grounds) Bill:

Committal
(1) The Bill shall be committed to a Committee of the whole House.
Proceedings in Committee, on Consideration and up to and including Third Reading
(2) Proceedings in Committee, any proceedings on Consideration and any proceedings in legislative grand committee shall (so far as not previously concluded) be brought to a conclusion two hours after the commencement of proceedings in Committee of the whole House.
(3) Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion three hours after the commencement of proceedings in Committee of the whole House.
(4) Standing Order No. 83B (Programming committees) shall not apply to proceedings in Committee of the whole House, to any proceedings on Consideration or to other proceedings up to and including Third Reading.

Other proceedings
(5) Any other proceedings on the Bill may be programmed.—(Rebecca Harris.)
Question agreed to.

Business without Debate

DELEAGATED LEGISLATION

Mr Deputy Speaker (Sir Lindsay Hoyle): With the leave of the House, we shall take motions 6 to 8 together.

Motion made, and Question put forthwith (Standing Order No. 118(6)).

CAPITAL GAINS TAX

That the draft Double Taxation Relief and International Tax Enforcement (Belarus) Order 2018, which was laid before this House on 23 April, be approved.

That the draft Double Taxation Relief and International Tax Enforcement (Ukraine) Order 2018, which was laid before this House on 23 April, be approved.

PETOITION

Closure of Solihull Police Station

6.54 pm

Julian Knight (Solihull) (Con): My constituents are extremely concerned by the Labour police and crime commissioner’s proposals to close Solihull police station. This will leave my constituency without a single proper police base following the earlier closure of Shirley police station. It will mean 209,000 people in a borough without a police station. Crime is one of the issues that local residents most often raise with me, and they are deeply concerned that this closure will lead to a more remote and less responsive police presence in Solihull. Hundreds have signed my petition, urging the West Midlands police to reconsider these proposals.

The Government have only recently given the West Midlands police a £9.5 million funding boost, and the police and crime commissioner is sitting on more than £100 million in reserves. Given that, it is not justified to make yet another severe cut to frontline policing in my constituency, particularly as this is being done without any proper consultation and in the face of public opinion. It cannot be right that a growing town such as Solihull is having its community services cut, especially when nobody has provided residents with clear proposals as to how these savings will be reinvested in the community.

My constituents deserve better, and it is a privilege to put their concerns directly to the House today.

The petition states:

The petition of residents of Solihull, declares that local residents have great concern over the West Midlands Police and Crime Commissioner’s proposals to close Solihull police station. The petitioners therefore request that the House of Commons urges the Government to encourage the West Midlands Police and Crime Commissioner to reconsider his proposals to close Solihull Police Station.

And the petitioners remain, etc.

[Petition 102151]
Princess Alexandra Hospital, Harlow

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

6.56 pm

Robert Halfon (Harlow) (Con): It is a pleasure to see you in the Chair, Madam Deputy Speaker. I thank you for your support for a new hospital in Harlow, as my constituency neighbour.

I want to update the House on the desperate need for a new hospital in Harlow that is fit for the 21st century. The hospital would bring together A&E services, GP provision, social care, physiotherapy and a new ambulance hub in state-of-the-art, purpose-built facilities. Success in securing the capital funding, for which there is already a bid in place, could make this a reality for Princess Alexandra staff and patients in Harlow and across the region.

When I debated Harlow’s hospital last October in Westminster Hall, it was in special measures. In March, following the Care Quality Commission inspection, we heard the amazing news that the Princess Alexandra had left special measures. In fact, two thirds of services were on their way to a good or an outstanding rating. I said it then and I will say it again: this is a testament to the extraordinary hard work of all Princess Alexandra Hospital staff, including the cleaners, porters, nurses, doctors, kitchen staff, support staff and, of course, the leadership and management. I would like to give a particular mention to Nancy Fontaine, head of nursing and one of the most remarkable NHS workers I have ever met. Nancy will soon be leaving the Princess Alexandra to help another hospital, but I take this opportunity to thank her for her work. It is people like her who make the NHS what it is.

The Health Secretary congratulated PAH staff in a video—a sentiment seconded by the Prime Minister. In his message, the Health Secretary not only noted the impressive CQC report and the outstanding work in the neonatal department, but made it clear that it is the staff who make a hospital and that good care is the result of their instinct to do the right thing for patients. The Health Secretary and the former Hospitals Minister, my hon. Friend the Member for Ludlow (Mr Dunne), have both visited the Princess Alexandra a number of times, speaking to the staff and the leadership there. I know that the Health Secretary and the current Hospitals Minister—to whom I am hugely grateful for engaging with me regularly on this issue—are aware of the capital funding bid in place.

The leadership team, headed by chief executive Lance McCarthy, have been developing their case for capital funding since the Health Secretary made the request in autumn 2016. The team are due to resubmit the final plans next month. I understand that the trust is one of seven schemes requiring more than £100 million of capital and that funding for some schemes will be announced in the autumn. I ask the Minister, when will we learn of the progress of these capital funding bids?

Mr Charles Walker (Broxbourne) (Con): Does my right hon. Friend agree that Princess Alexandra Hospital has a great future if it is allowed to have that future?

Robert Halfon: I thank my hon. Friend for being a huge supporter, along with other colleagues here today—my hon. Friends the Members for Hertford and Stortford (Mr Prisk) and for Saffron Walden (Mrs Badenoch). They understand that this is not just an issue for Harlow, because a new hospital will benefit the entire—

7 pm

Motion lapsed (Standing Order No. 9(3)).

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

Robert Halfon: My hon. Friends understand that this is not just an issue for Harlow but for the surrounding areas of Essex and Hertfordshire. My hon. Friend the Member for Broxbourne (Mr Walker) is exactly right—for our hospital to have a future, we need a new hospital.

Mr Mark Prisk (Hertford and Stortford) (Con): I commend my right hon. Friend for his championing of this important cause. He is right to point out that while this facility is important for the people of Harlow, it is just as important for the people of Bishop’s Stortford, Hertford, Ware and other towns represented here today. It matters to the whole region. I hope that he will emphasise that point and that the Minister will take it on board in his remarks.

Robert Halfon: I am very proud that my hon. Friend and I share a constituency office and work together on an enormous range of issues. His support and backing is recognised by his constituents because they understand, as he does, that a new hospital in Harlow will benefit not just Harlow but all the surrounding areas and residents.

The hospital’s infrastructure is deteriorating. As my hon. Friend the Member stated in response to my question on 8 May 2018, the Government “recognise that the Princess Alexandra Hospital...is in a poor condition.—[Official Report, 8 May 2018; Vol. 640, c. 537.]

While the hospital leadership has been proactive in seeking out funding—last year, the trust secured £2 million to redesign the emergency department—long-term under-investment means that the estate is extremely fragile. A survey in 2013 said that 56% of the hospital’s estate was rated as “unacceptable or below” for its quality and physical condition.

Not only is the hospital falling apart, but the layout is unco-ordinated and problematic. To use a horrible euphemism, there are “sub-optimal clinical adjacencies”, in the words of the previous Minister. Urgent care is spread across the site due to the sporadic development of temporary structures, making it very difficult for patients seeking care to find their way around and for the hospital staff caring for them.

Mrs Kemi Badenoch (Saffron Walden) (Con): Does my right hon. Friend agree that short-term investment is only a bandage and a fresh overhaul is needed due to the permanently declining facilities? Does he also agree that given how many of my constituents use the Princess Alexandra, the three new garden communities that are being planned mean that we need a huge influx of investment for infrastructure in our area?
Robert Halfon: I am hugely grateful for the support of my new neighbour, who is a brilliant representative of her area. She is exactly right. We cannot just carry on with Elastoplast solutions, however welcome, because that cannot sustain the hospital in the long term. She also makes the crucial point that we are going to have thousands more houses in Harlow and the surrounding areas, and we need a hospital that is fit for purpose—fit for the 21st century. I think that the Minister will hear the views of my neighbours and realise that this is not just a Harlow issue but something that is very important to Essex and Hertfordshire.

Jim Shannon (Strangford) (DUP): Obviously, I am not one of the right hon. Gentleman’s neighbours, but I am always here to support him on the issues that he brings forward. One of the things that comes to my attention back home, but I am sure that he will have the same issue, is that healthcare needs to be accessible to all people. We can jump in a car and go to the hospital, but other people may have to depend on a bus or a train, or on someone giving them a lift. Does he agree that local trusts need to have accessibility as a precursor to providing care? If someone has accessibility, they can get there; if they do not, it does not matter where the hospital is.

Robert Halfon: The hon. Gentleman says we are not neighbours, but we are kind of neighbours in the make-up of the current Parliament. He is absolutely right, and he makes the wider point about the support needed for the NHS.

The hospital also experiences issues in recruiting and retaining staff. Harlow’s hospital now has 27 more doctors and 35 more nurses than in 2010, and the leadership has made great efforts to improve staff retention and staff stability at the PAH. It is now among the best in the sustainability and transformation partnership. However, the trust still runs an 11% vacancy rate, with a key deficit in nursing recruitment and retention. The vacancy rate and recruitment are a perpetual worry, and the reasons for that appear to be twofold. The first is proximity to London, which makes pay weighting a serious factor. The second is perhaps more significant. The hospital leadership has told me that opportunities for career development, or the lack thereof, are off-putting for potential recruits. The hospital must compete with Barts and UCL in specialist training and career development. Last year, the retention support programme established career clinics and clear career pathways, but there is only so much the hospital can do to compete with the huge investment and top-class facilities at London hospitals.

There is unbearable and increasing pressure on A&E services at the Princess Alexandra due to the downgrading of other local healthcare facilities, including Chase Farm Hospital and the Queen Elizabeth II. The population of Harlow and the surrounding area is growing, and the additional influx of patients has led to occupancy levels at the hospital consistently running higher than 98%. The A&E department sees 200 to 300 patients per day—that is 10% higher than the national average. This is a small hospital in a medium-sized town. The Care Quality Commission agreed in its most recent report that that makes it difficult for staff to tend to patients in a timely manner.

While the hospital is working incredibly hard to make improvements and has successfully upped the four-hour emergency care standard record, the chief executive and management have told me that the estate and infrastructure are simply undermining the staff’s ability to carry out their roles well and negatively impacting on the hospital’s overall performance. It is clear from the occupancy level statistics that the Princess Alexandra is fundamental to the health and wellbeing of the population of Harlow and the wider area, including parts of Hertfordshire and Essex, as my colleagues and I have stated today.

In the light of that, I wrote to the Secretary of State for Health last week along with seven colleagues representing neighbouring constituencies: my hon. Friends the Members for Broxbourne, for Hertford and Stortford, for Saffron Walden, for Brentwood and Ongar (Alex Burghart) and for Braintree (James Cleverly), and my right hon. Friends the Members for Epping Forest (Mrs Laing) and for Witham (Priti Patel). We wanted to make it clear that the development of a new hospital health campus is fundamental to the vitality of the community and the economy of the entire region. We asked the Health Secretary for his support for the hospital’s capital funding bid, and I hope to receive his positive response soon.

It is clear that there are a number of complex and interlinked issues at the Princess Alexandra. Those problems make it very difficult for the hard-working staff to provide sufficient healthcare to Harlow residents and those living in my colleague’s constituencies. The development of a new purpose-built hospital health campus would answer each and every one of those problems. First, it would allow high-quality and state-of-the-art facilities to be developed in a carefully planned manner. The staff would no longer be working in temporary structures, and patients and visitors would be able to find their way around the site easily.

Secondly, the investment in new facilities would draw nurses, healthcare assistants and auxiliary staff to the hospital and provide a welcoming working environment in which they could see out a long career in the NHS. Thirdly, the new hospital health campus would redevelop the emergency care services at the PAH. That would create a working environment in which staff truly had the capacity to meet the needs of the many patients seeking help, without the fear of a bed not being available.

While regeneration of the current site has been considered, it is widely accepted that building a new hospital health campus on a different greenfield site would be most affordable and provide the greatest benefit to the patients served by the PAH. The hospital’s current location in the town centre may partly explain the very high A&E use, and it makes further expansion of the hospital incredibly difficult. A new greenfield site on the outskirts of the town would mitigate these problems and allow the town-centre land to be redeveloped into much-needed housing for Harlow’s growing population. Additionally, developing a new hospital on the current disjointed site would require the existing set-up to be demolished before starting work on the new health campus. This would lead to huge disruption for patients seeking help and for staff who would need to carry on working for a number of years.

As I have previously mentioned, the hospital is vital for the economy of the entire region. Developing a new hospital health campus could act as a centre for degree
apprenticeships. I know that the Minister, like me, is passionate about improving skills and apprenticeships in the health service. The hospital health campus could build on the existing hospital’s strong links with Harlow College and the new Anglia Ruskin MedTech innovation centre. It would bring specialist training to the eastern region, and it would send the message that Harlow is a place to start and develop an amazing and long-term career in the national health service. The hospital health campus would allow so many hundreds of my constituents, and those of my hon. Friends, to climb the ladder of opportunity. The degree apprenticeships and training opportunities would help people across the east of England to get the education, skills and training they deserve and to achieve the jobs, security and prosperity that they and our country need.

Finally, I want to explain that this debate is only part of an ongoing and wide-reaching campaign for a new hospital health campus in Harlow. As I have mentioned, I had a debate on this subject last year, and I have tabled 10 early-day motions, asked 40 written questions and kept in regular contact with Health Ministers. As I have said, I am hugely grateful to my hon. Friend the Minister for his regular dialogue with me. In fact, may I ask him now whether he will definitely meet me and the hospital’s chief executive, Lance McCarthy, to discuss the hospital health campus proposals further, and will he actually join us at the hospital in Harlow so that he can see the current site at first hand?

I am here today because of the desperate need for a new hospital campus in Harlow. This is probably the most pressing issue that our town will face for a generation. The new hospital proposal is backed by ten local councils—including Harlow Council, Epping Forest District Council, Essex County Council and the Greater London Authority—and by the West Essex clinical commissioning group and the Hertfordshire and West Essex sustainability and transformation partnership, which brings together 13 local bodies and hospital trusts. It is also backed by the seven neighbouring MPs I have mentioned, some of whom are in the Chamber.

The people I represent, and those represented by my colleagues and constituency neighbours, deserve better. Patients deserve to be treated in a safe environment, without the threat of their operation being cancelled due to sewage—I repeat, sewage—flowing through the operating theatres. Visitors should be able to find their poorly relatives easily, without snaking their way through a muddled and confusing hospital estate, wasting valuable time that they could have spent with their loved ones. The hard-working staff should have top-class and purpose-built facilities so they can tap into their instincts and provide the very best care they can. They should be able to progress their careers at the hospital and to build a community around their working lives—building an even better Harlow and protecting our NHS as they do so. Training opportunities should be provided so that our young people or those who wish to retrain can gain skills and climb the ladder of opportunity, flexibly and close to home. I am here this evening to show the Government that the Princess Alexandra bid for capital funding is not just about the materials from which the hospital is built; it is more important than that. It is time that healthcare in Harlow was brought into the 21st century.

7.13 pm

The Minister for Health (Stephen Barclay): I pay tribute to my right hon. Friend the Member for Harlow (Robert Halfon). He raises the important issue of the future of the Princess Alexandra Hospital in Harlow, and is quite right to draw the attention of the House to it once again. As he said, he has raised this in a previous Adjournment debate, through multiple questions and in meetings with Ministers, including me, and he has secured visits from my right hon. Friend the Secretary of State and from my predecessor, my hon. Friend the Member for Ludlow (Mr Dunne).

The strength of my right hon. Friend’s campaign is further reinforced by the number of colleagues here this evening. Dare I say, Madam Deputy Speaker, that I am sure the constituents of Epping Forest take a great interest in Harlow’s future hospital; this issue concerns you as well as my hon. Friends the Members for Saffron Walden (Mrs Badenoch), for Broxbourne (Mr Walker) and for Hertford and Stortford (Mr Prisk), who are all here signalling their support for this important capital programme.

I join my right hon. Friend in paying tribute to Nancy Fontaine, the chief nurse and deputy chief executive. She has played an important, transformative role at the Princess Alexandra over the past few years and may now, I understand, be moving to a new post. She has played a key role in taking the Princess Alexandra out of special measures—a distinction achieved in March this year. The trust improved its overall CQC rating, having been rated good in the effective and caring domains. That is a tribute to Nancy Fontaine, the senior leadership team and the entire staff of the hospital, who have worked so hard.

I also recognise that, as my right hon. Friend said, Princess Alexandra Hospital does face problems with the condition of its estate and buildings; he and I have discussed the issue during oral questions, and the Secretary of State has also recognised the point. NHS Improvement has advised that the condition of the hospital is not currently fit for purpose. It is right that plans are made to improve the estate and that those plans should be locally driven.

As my right hon. Friend will be aware, the Government fully support the upgrading of the NHS estate to bring the NHS further into the 21st century. That is why we have committed £3.5 billion of additional capital funding in the 2017 autumn Budget to support the most ambitious programme of investment in buildings and technology that the NHS has seen to date.

My right hon. Friend referred to the application from the Princess Alexandra, and he will be well aware that the strategic outline case was put forward in July 2017 with the support of the local authority, outlining the various options that had been considered. The strategic outline case concluded that the best option was to build a new hospital, potentially as part of a broader health campus on a new site. The trust secured local support from the clinical commissioning groups and the sustainability and transformation partners for that strategic outline case, which has been through the necessary local healthcare governance procedures. I am pleased that plans for the new hospital and health campus are supported so strongly by local NHS stakeholders.
The trust submitted a bid in autumn 2017 for STP capital for its integrated healthcare campus scheme, which was intended to replace the existing Princess Alexandra Hospital estate. The trust’s capital bid at that time asked for between £500 million and £600 million. That was not considered sustainable; the bidding process feedback asked the trust to revise its capital plans to a more realistic level.

It is also worth reminding the House, and this is partly a tribute to the success of my right hon. Friend’s campaigning for Harlow, that that sits alongside the many millions of pounds secured for the public health campus, which is due to open in phases from 2021. He is correct to identify the opportunities that both schemes bring for a wider NHS career as part of the investment the Government are making—not just in Harlow but in the healthcare of the region, reflected by the support of colleagues in the House.

Alongside those two schemes, the same STP, Hertfordshire and West Essex, also put in a bid for more than £600 million of capital funding in the same bidding round of autumn 2017 for the redevelopment of the West Hertfordshire Hospitals NHS Trust Watford site. That is a signal of the amount of capital the Government are putting in and the need for the local plans to reflect the competing bids around the country as part of that appraisal. There have been other capital schemes, such as the £2 million to which my right hon. Friend referred, given to improve emergency capacity for the winter.

I look forward to hearing about the trust’s updated plans for how it intends to transform the way care is provided to patients through integration with community and primary care, rather than just re-provide capital assets. Schemes are required to demonstrate affordable revenue assumptions and value for money, and to fully consider disposing of surplus assets to part-fund their developments.

My right hon. Friend asked about timing. Given the challenges that the trust faces, I appreciate that it is a key issue for his constituents. An announcement will be made in the autumn on the next round of STP capital allocations, and I will continue our regular dialogue with him as that progresses. Bids are due by mid-July; I know the trust is fully aware of that timescale and I expect it is working closely to it.

I want to pick up on a comment my right hon. Friend made about the workforce. While capital is key to the redevelopment of the Harlow estate, it has to sit alongside wider workforce planning. The long-term nature of workforce planning has sometimes meant that there has perhaps been insufficient focus on this area. That is why the Government are bringing forward, through Health Education England, a workforce strategy this summer to look specifically at how we better plan for our workforce. I know that, particularly through his chairmanship of the Education Committee, my right hon. Friend champions a cause that is close to both our hearts: apprenticeships and how we better use them within the workforce. I am keen that he continues to work with the trust to expand the number of apprenticeships on offer. Based on quarter 1 to quarter 3 data, it has so far offered 10 apprenticeships, against a public sector target for the trust of 72, with a half a million pound apprenticeship levy to be allocated. There is therefore scope for the trust to continue its efforts on apprenticeships as part of that wider agenda. I know my right hon. Friend will continue to champion that agenda.

In conclusion, what is recognisable from the presence of my hon. Friends the Members for Saffron Walden, for Broxbourne and for Hertford and Stortford, as well as the constituency interests of other Members in the Chamber, is that this scheme is not just about Harlow but about the wider health care needs of the region. It is one that the Secretary of State has taken a close personal interest in, visiting on more than one occasion. It is one that my right hon. Friend has assiduously raised in the House and has done so, rightly, again today. I reaffirm, as I said to him when we last debated this matter on 8 May, that we recognise that the Princess Alexandra hospital estate is in a poor condition. That is why the bid that I expect in mid-July is timely. I look forward to the bid addressing the transformation challenge. It is part of the Government’s wider £3.5 billion commitment to the NHS estates until 2022-23. I know my right hon. Friend will support his local STP in the transformation the system needs. I look forward to continuing to work with him as part of the plans to ensure the NHS is fit for the future in Harlow and in the surrounding region.

Question put and agreed to.

7.23 pm

House adjourned.
The Parliamentary Under-Secretary of State for Wales (Stuart Andrew): The UK Government are committed to working with the Scottish Government, the British Transport Police Authority and the police authorities to ensure that the terms and conditions of officers and staff transferring to Police Scotland are maintained. However, this is one of the reasons why there has been a delay. It is important that the staff are properly consulted and we would encourage that to happen.

Leaving the EU: Economic Growth

Stephen Gethins (North East Fife) (SNP): What assessment the Government have made of the effect of the UK leaving the EU on the level of growth in the Scottish economy.

The Secretary of State for Scotland (David Mundell): The Government are undertaking a wide range of ongoing analysis in support of our EU negotiations and preparations. We want our future relationship with the EU to be a deep and special partnership, taking in both economic and security co-operation.

Stephen Gethins: The UK Government’s own analysis shows how devastating Brexit will be for GDP. That has already been felt with crippling uncertainty—so much so that Mr and Mrs Mitchell of Allanhill farm in my constituency have written to the Department for Environment, Food and Rural Affairs wondering whether or not they should plant their crop for 2019, because of the uncertainty about seasonal workers. Will he give them certainty today?

David Mundell: The Government have already acknowledged that there will be an ongoing need for a seasonal workers scheme that will support the constituents of the hon. Gentleman, but I thought that he might focus on other constituents, given the report yesterday by the Scottish Government which said that, with Brexit, there will be a huge increase in the number of potential jobs in the fishing industry, which impacts on his constituency, with a £540 million potential boost to the Scottish economy.

Drew Hendry: Non-UK EU nationals in Scotland contribute around £4.5 billion annually to the Scottish economy. Both the Secretary of State for Business, Energy and Industrial Strategy and the Prime Minister have failed to rule out an immigration skills charge on companies employing EU nationals in future. Will the Secretary of State oppose any such charge applying in Scotland after the UK leaves the EU—yes or no?

David Mundell: The hon. Gentleman knows very clearly that I oppose there being a separate immigration system in Scotland. Scotland has specific issues in relation to immigration, but those issues also arise in other parts of the United Kingdom. When the Government announce their new immigration policy in relation to leaving the EU, I want to see a policy that takes into account the concerns of Scotland and the whole of the United Kingdom.
Stephen Kerr (Stirling) (Con): Increasing trade is critical to the success of Scotland’s economy as we leave the European Union, and I was delighted that the first ever meeting of the Board of Trade in Scotland was held in Stirling just last month. It was a hugely successful day, not least for Stirling’s businesses. What lessons has my right hon. Friend taken from listening to Scottish businesses about their experiences in exporting?

David Mundell: I echo my hon. Friend’s comments about the suitability of the location of the meeting in Stirling and the beauty of Stirling castle as the setting for such an historic event. It is clear that businesses in Scotland want to get ahead with focusing on taking up the trade opportunities that will arise when we leave the EU.

John Lamont (Berwickshire, Roxburgh and Selkirk) (Con): Figures last month revealed that since 2007 the SNP Scottish Government in Edinburgh have missed five of their economic targets. Does this not demonstrate the incompetence of the Scottish Government in managing Scotland’s economy?

David Mundell: I agree with my hon. Friend that there are real concerns. My view is that the single greatest threat to the growth of the Scottish economy is a second independence referendum, which would put business on hold, disrupt our economy and drive away investment.

11. [905622] Mhairi Black (Paisley and Renfrewshire South) (SNP): Given that all of Scotland’s projected population growth over the next 25 years is from migration, does the Secretary of State not agree that reducing net migration would be devastating to Scotland? Does he agree with the leader of the Scottish branch of the Conservative party that a tailored solution for Scotland must be the answer?

David Mundell: I am clear that we need an immigration policy that is right for the whole of the United Kingdom and that takes into account the very specific needs that we have identified in Scotland. However, we know that the Scottish Government have powers that have very significant effects on immigration, such as the powers on the level of tax, and that making Scotland the highest-taxed part of the UK is not a way to encourage people to come to Scotland.

John Stevenson (Carlisle) (Con): Does the Secretary of State agree that what really matters to the growth rate and success of the Scottish economy is the Union of the United Kingdom? Does he agree that that is most demonstrated by the border area?

David Mundell: I absolutely agree. That is why I am astounded that the SNP now even disputes that there is an internal market in the United Kingdom; even by SNP standards, that is astounding. That internal market is worth four times as much to Scottish business as the whole of the EU put together.

Leaving the EU: Scotch Whisky Industry

Ian Murray (Edinburgh South) (Lab): What assessment the Government have made of the effect on the Scotch whisky industry of the UK leaving the EU.

The Secretary of State for Scotland (David Mundell): The UK Government work closely with the Scotch whisky industry and particularly with the Scotch Whisky Association to assess the industry’s market access needs. As we leave the EU and build our future trade policy, we are also working to ensure that geographical indications are protected and potentially extended around the world.

Ian Murray: I am grateful to the Secretary of State for his response, but given the potential trade war with the US, the Government’s strategy to throw in the bin 63 bilateral trade deals when we leave the EU, and reports on both sides of the Atlantic that the three-year designation for Scotch whisky could be removed in any trade deal with the US, what is he specifically doing to protect that vital industry for Scotland and the UK in the Brexit negotiations?

David Mundell: First, the hon. Gentleman will recognise that the industry itself has been very clear that exciting opportunities can flow from trade deals post Brexit. That is what the Scotch Whisky Association has said, but the points he makes are very serious ones. I make sure that they are absolutely at the heart of the Brexit negotiations.

Douglas Ross (Moray) (Con): Scotch whisky is hugely important to my Moray constituency. Does my right hon. Friend agree that the most immediate threat to the industry is the possibility that the EU could include bourbon as a counter-measure against US trade tariffs? Therefore, does he agree that we should urge the EU not to include bourbon for fear of the retaliation action that the US could take?

David Mundell: My hon. Friend is a great champion of the whisky industry and raises an extremely serious and important point. I reassure him that I am in direct contact with the Scotch Whisky Association on that issue and will ensure that the points he has made are fully understood within the UK Government and the EU.

Mr Speaker: We are most grateful to the Secretary of State.

Danielle Rowley (Midlothian) (Lab): The Scotch whisky industry is very important, but does the Secretary of State agree that the construction industry in Scotland is, too. Crummock, a construction firm in my constituency, went bust last week, with almost 300 redundancies. What is he doing to protect construction in Scotland?

David Mundell: I recognise the issues that the hon. Lady raises, because unfortunately a construction company in my own constituency, Graham’s in Langholm, also went into administration last week. There are significant challenges facing the industry and I would be happy to meet her to discuss the specific issue in her constituency.

Mr Speaker: These dilations are of considerable interest. I am sure, but they are not altogether related to the matter of whisky. I fear that the Secretary of State was drawn away from the path of virtue, to which I know he will now speedily return, aided and abetted by the right hon. Member for Chipping Barnet (Theresa Villiers).
Theresa Villiers (Chipping Barnet) (Con): In future trade talks with India, will the Secretary of State place a priority on improving access for our exports of whisky from Scotland and Northern Ireland, as it is one of the United Kingdom’s greatest products?

David Mundell: I will indeed, and the Secretary of State for Wales would be unhappy if I did not also reference Penderyn, the whisky made in Wales. I can assure my right hon. Friend that I will take exactly that action in relation to all the United Kingdom’s whisky products.

Iain Stewart (Milton Keynes South) (Con): Does my right hon. Friend agree that, once we leave the EU, trade deals with countries such as Taiwan will open up massive new markets for Scotch whisky exports?

David Mundell: I absolutely agree with my hon. Friend. That is why the Scotch Whisky Association and various companies in the industry recognise that there are exciting prospects out there for future trade arrangements, and I see that they have the confidence and the determination to achieve them.

European Union (Withdrawal) Bill: Legislative Consent Motion

4. Joanna Cherry (Edinburgh South West) (SNP): What recent discussions has he had with the (a) Scottish Government and (b) Prime Minister on the Scottish Parliament’s decision not to grant a legislative consent motion for the European Union (Withdrawal) Bill. [905615]

5. Patrick Grady (Glasgow North) (SNP): What recent discussions has he had with the (a) Scottish Government and (b) Prime Minister on the Scottish Parliament’s decision not to grant a legislative consent motion for the European Union (Withdrawal) Bill. [905616]

13. David Linden (Glasgow East) (SNP): What recent discussions has he had with the (a) Scottish Government and (b) Prime Minister on the Scottish Parliament’s decision not to grant a legislative consent motion for the European Union (Withdrawal) Bill. [905624]

15. Alan Brown (Kilmarnock and Loudoun) (SNP): What recent discussions has he had with the (a) Scottish Government and (b) Prime Minister on the Scottish Parliament’s decision not to grant a legislative consent motion for the European Union (Withdrawal) Bill. [905626]

The Secretary of State for Scotland (David Mundell): Having worked closely with the devolved Administrations on significant amendments, I am of course disappointed that the Scottish Parliament has not yet granted legislative consent to the Bill. The Welsh Assembly agrees that these arrangements fully respect the devolution settlements. The Chancellor of the Duchy of Lancaster and Minister for the Cabinet Office is in correspondence again this week with Mike Russell, and the door remains open for the Scottish Government to reconsider.

Joanna Cherry: Can the Secretary of State tell us whether he has explained to the Prime Minister that, by a 3:1 majority of MSPs, four of the five parties in the Scottish Parliament withheld legislative consent? What has he advised her to do to recognise that overwhelming expression of the democratic will of the Scottish people?

David Mundell: What I have done is explain the constitutional settlement in the United Kingdom fully to the Prime Minister, which she was already aware of. I know that the hon. and learned Member for Edinburgh South West (Joanna Cherry) does not like the existing constitutional settlement and wants to see another one, but the current settlement, the arrangements within it and the Sewel convention are quite clear.

Patrick Grady: This is the Secretary of State who vowed to make Holyrood “one of the most powerful devolved Parliaments” in the history of the known universe, so why is he prepared to see this Westminster Parliament override the ruling of the Holyrood Parliament, which has withheld its consent? How does that square with his vow to respect and empower Holyrood?

David Mundell: I am not going to take any lectures on devolution from the SNP. Only today, Nicola Sturgeon has written, ahead of the SNP conference, that this weekend “marks the start of a new chapter in Scotland’s road to independence”. That does not sound very much like standing up for devolution to me.

David Linden: I have recently learned that the great saviour of the Tory party, and perhaps the next Prime Minister, Ruth Davidson, did not actually believe in the vow. Is it not the case that the chickens have come home to roost and that we are now seeing the anti-devolution party once again riding roughshod over Scotland?

David Mundell: I could not agree more with the hon. Gentleman—the anti-devolution party is riding roughshod over Scotland, but it is the SNP. It does not back devolution; it only backs independence.

Alan Brown: The Tory-friendly Spectator magazine has said that no self-respecting Scottish Government of any party could give consent to the European Union (Withdrawal) Bill in its current form. So instead of expressing disappointment in the Scottish Government, what is the Secretary of State going to do to engage in cross-party talks and to try to find a solution that respects the will of the Scottish Parliament?

David Mundell: I have wanted to reach an agreement all along, and we have made it clear that we still want to reach an agreement in the exchanges with the Scottish Government this week. Either the Scottish Government need to reconsider their position, or a new proposal needs to emerge.

Mr Alister Jack (Dumfries and Galloway) (Con): Does my right hon. Friend think that the Scottish Government ever wanted to do a deal on the withdrawal agreement?

David Mundell: I think that Mr Michael Russell wanted to do a deal on the EU withdrawal agreement.

Paul Masterton (East Renfrewshire) (Con): Why does the Secretary of State think that the UK Government’s proposals on the withdrawal Bill were acceptable to a Unionist Government in Wales but not a nationalist Government in Scotland?
David Mundell: I have said many times—[Interruption.]

Mr Speaker: Order. Mr Law, behave in accordance with your surname. Compose yourself, man. Indeed, I advise Members on both sides of the argument to seek to imitate the statesmanlike repose of Mr Alister Jack, from whom we have just heard. He has been attending to our proceedings in a most courteous and civilised way, as is his wont.

David Mundell: The Welsh Government, Welsh Labour representatives in the House of Lords and, indeed, the former Deputy First Minister, Jim Wallace, who is also in the House of Lords, have been clear that the Government’s proposals did not in any way undermine the devolution settlement.

Tommy Sheppard (Edinburgh East) (SNP): I can forgive some members of the Cabinet their ignorance in not understanding the effect of their policies on the devolution settlement, but that is not a quality that we expect from the Secretary of State for Scotland. Does he not agree that it takes a particular form of arrogance to try to force through a position that is supported by only one of the five political parties in Scotland and by less than one quarter of the Members of the Scottish Parliament?

David Mundell: Again, this comes down to the fact that the hon. Gentleman does not accept the current constitutional arrangements, including the Sewel convention. That can probably be explained by this obsession with pursuing independence. The current constitutional arrangements are quite clear, and the Government are proceeding in accordance with them.

Tommy Sheppard: Four out of the five political parties in Scotland now understand that this is the first Secretary of State for Scotland in history who seeks to lessen the control of the Scottish people over their own affairs. Will he now stand down and make way for someone who will respect the wishes of the Scottish people and respect the national Government of Scotland?

David Mundell: The hon. Gentleman let the cat out of the bag with his final words. Scotland has two Governments. In 2014, Scotland voted to be part of this United Kingdom, and I will continue to stand up and defend Scotland’s place in it.

Lesley Laird (Kirkcaldy and Cowdenbeath) (Lab): The Secretary of State should be aware that Scottish Labour leader, Richard Leonard, wrote to the Minister for the Cabinet Office on 10 May asking for Scottish cross-party talks. If the Secretary of State really has been standing up for Scotland, what has he done to get his Cabinet colleague back around the negotiating table?

David Mundell: The hon. Lady knows that I regard the position of Scottish Labour in the Scottish Parliament as pitiful, kowtowing to the SNP and not honouring its proud Unionist credentials. We are clear that, if any new, different proposal emerges, the door is open and we will discuss it. However, no such proposal has come directly from the Scottish Labour party.

Lesley Laird: That door is open. That invitation is there, but the blame for this lies squarely at the doors of the Secretary of State and the Prime Minister. I have a copy of correspondence between the Minister for the Cabinet Office and Richard Leonard, and the Secretary of State is not even mentioned—he is not even at the table. Does that not epitomise the fact that the Secretary of State is Scotland’s invisible man in the Cabinet and that his colleagues are excluding him from future negotiations because of the mess he has already made?

David Mundell: I do not think the hon. Lady follows the media in Scotland very closely, otherwise she would know that Scotland’s invisible man is Richard Leonard, leader of the Scottish Labour party, who has simply gone along with the SNP at every turn. I am proud, in the Cabinet and elsewhere, to stand up for Scotland’s place in the United Kingdom, and I will continue to do so.

Pete Wishart (Perth and North Perthshire) (SNP): The founding principles of the devolution settlement have been turned on their head in the unelected House of Lords with its amendments to clause 15 of the European Union (Withdrawal) Bill, yet we, Scotland’s directly elected Members, will have no opportunity to debate and scrutinise what their lordships have decided for us. In what sort of world can that possibly be acceptable?

David Mundell: In exactly the same sort of world in which, two or three months ago, we heard the hon. Gentleman setting out all the virtues of the House of Lords and how it would stand up for the Scottish Government’s principles. With your discretion, Mr Speaker, there will be an opportunity in this House to discuss clause 15 next week, and I am sure the hon. Gentleman will take the opportunity to do so.

Leaving the EU: Common Frameworks for Business

6. Ross Thomson (Aberdeen South) (Con): What UK-wide common frameworks the Government have assessed as being essential to business after the UK leaves the EU?

The Secretary of State for Scotland (David Mundell): In March, the UK Government published their provisional analysis of where we believe frameworks may be needed. This showed that, of the over 100 areas in which powers are coming back from Brussels, we think 24 areas may need legislative common frameworks to make sure we maintain the UK’s internal market—a market that is worth four times as much to Scottish businesses as the rest of the EU put together.

Ross Thomson: Services account for over half of Scotland’s exports to the United Kingdom, so ensuring there are no new barriers to trade in services between Scotland and the rest of the UK is vital for Scotland’s economy. Does my right hon. Friend share my belief that, if the Scottish Government really wanted to put Scotland’s interests first, they would be working more constructively with the UK Government to preserve, and indeed enhance, the ability of the Scottish services sector to trade with the rest of the United Kingdom?

David Mundell: I absolutely agree with my hon. Friend. The Scottish Government could start by retracting their bizarre recent argument that the UK’s internal market does not exist. We all know they might want the UK’s
internal market not to exist, as we realise they have reached such a stage of denial. The truth is that the UK’s internal market is vital to the prosperity and jobs of people across Scotland.

Deidre Brock (Edinburgh North and Leith) (SNP): Will the new public relations post in the Cabinet Office covering Scotland and Northern Ireland be one of those essential frameworks that are being built? Is the Cabinet Office riding to save the Secretary of State’s bacon?

David Mundell: As the hon. Lady is aware, the Cabinet Office performs a vital role in operating an overview of the devolved settlements in Scotland, Wales and Northern Ireland and in bringing together those constitutional arrangements.

Several hon. Members rose—

Mr Speaker: The hon. Member for Gordon (Colin Clark) is no longer committed to coming in. Never mind. We will get him in another time.

David Duguid (Banff and Buchan) (Con): Does my right hon. Friend agree that common frameworks in areas such as fisheries, agriculture, food labelling and animal welfare are crucial to ensuring that trade within the UK is not disrupted when the UK leaves the EU?

David Mundell: I absolutely agree. One of the first frameworks we want to agree is in the area of fisheries, because this Government want to take Scotland and the UK out of the common fisheries policy, exactly the opposite of the SNP.

Universal Credit: Low-income Families

7. Mr Tanmanjeet Singh Dhesi (Slough) (Lab): What assessment he has made of the effect on low-income families of the roll-out of universal credit throughout Scotland. [905618]

The Parliamentary Under-Secretary of State for Wales (Stuart Andrew): Universal credit is transforming lives across the country. Research also shows that universal credit claimants spend more time searching for work and applying for work than those on previous benefits. It is great news that employment in Scotland is up by more than 190,000 since 2010.

Mr Dhesi: People in my constituency and elsewhere, especially low-income families across the UK, have been suffering as a result of the roll-out of universal credit. In Scotland, there have been numerous reports of people having to apply for emergency support, such as crisis grants and food parcels, to meet their immediate needs, because of the six-week waiting period. Does the Minister think there should be such occurrences in the sixth largest economy in the world?

Stuart Andrew: As the hon. Gentleman will know, we have been careful to roll out universal credit and where changes have been needed, we have made them. What is really important is that 77% of people on universal credit are looking to increase their earnings from work, which compares with a figure of just 51% for those on jobseeker’s allowance. Universal credit is a pathway to work and that can only be a good thing.

Mr Paul Sweeney (Glasgow North East) (Lab/Co-op): The roll-out of universal credit and personal independence payments has led to £50 million of cuts in disability payments every year, hitting Scotland’s poorest the hardest. Six out of the 10 worst-hit constituencies are in Glasgow, and the annual loss to disabled people in my constituency is £2 million. If the Secretary of State is really standing up for Scottish interests, what is he doing to stop this atrocious assault on disabled people?

Stuart Andrew: I point out to the hon. Gentleman that the Government are spending billions and billions of pounds on disability payments, and we are ensuring that we give the support to those people who need it most and encourage people in receipt of such benefits who want to work. My right hon. Friend the Secretary of State—[Interruption.]

Mr Speaker: Order. There is considerable noise in the Chamber. The Minister is a most courteous fellow who is delivering an informative reply, which very few people can hear. Let us pay him the respect of hearing what he has to say.

Stuart Andrew: That is very kind of you, Mr Speaker. My right hon. Friend the Secretary of State is also attending the joint ministerial group on welfare this Thursday, where all these issues are discussed regularly.

Mr Alistair Carmichael (Orkney and Shetland) (LD): Yesterday, I was told by a senior member of the Scottish Prison Service management that discharged prisoners in Scotland are now routinely taken to food banks because prison staff know that the six-week lead-in time for universal credit payments will lead to their using food banks. Does that fact alone not illustrate why the roll-out needs to be paused?

Stuart Andrew: As the right hon. Gentleman will know, we made some changes in the Budget, which were announced by my right hon. Friend the Chancellor, following the raising of many of the issues. I should also point out that the Scottish Government do have powers of their own; if they feel they should make further discretionary payments to individuals in Scotland, they have the powers to do so. They have not done so yet.

RBS Branch Closures

8. Luke Graham (Ochil and South Perthshire) (Con): What steps he has taken to respond to recent concerns on the closure of RBS bank branches in Scotland. [905619]

The Secretary of State for Scotland (David Mundell): I have met RBS to discuss its decision and made it clear that its plans are disappointing for customers and communities across Scotland.

Luke Graham: Yesterday, I, along with other Members of this House, met representatives from RBS to voice the frustration of our constituents about how they have been treated by RBS. Will my right hon. Friend meet me to see what more can be done to pressure RBS to think again about its branch closure scheme in constituencies such as mine?
David Mundell: I am very happy to meet my hon. Friend, and I must say that I am very disappointed at the response from RBS to the significant report by the Select Committee on Scottish Affairs on this issue.

Christine Jardine (Edinburgh West) (LD): With great swathes of Scotland losing bank branches while they are still awaiting decent broadband from the Scottish Government, what steps are the UK Government taking to support local authorities in the next round of the broadband roll-out, so that people losing local banking services can at least have good broadband?

David Mundell: First, I commend the hon. Lady for her part in the excellent Scottish Affairs Committee report on RBS. She will have heard the Secretary of State for Digital, Culture, Media and Sport make it absolutely clear that in future this Government are not going to rely on the Scottish Government for the roll-out of broadband and will engage directly with local authorities in Scotland.

PRIME MINISTER

The Prime Minister was asked—

Engagements

Q1. [905627] Alex Chalk (Cheltenham) (Con): If she will list her official engagements for Wednesday 6 June.

The Prime Minister (Mrs Theresa May): Last Sunday marked the one-year anniversary of the London Bridge terrorist attack. I, and others from this House, attended the very moving memorial service at Southwark cathedral, and I am sure Members from all sides of this House will join me again in offering our deepest condolences to the friends and family of the victims. I would also again like to take this opportunity to pay tribute to the extraordinary bravery shown on that night by the emergency services and those who came to the aid of others.

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.

Alex Chalk: I would like to associate myself with the remarks about London Bridge.

The number of children growing up in workless households in the United Kingdom has fallen to a record low. Does the Prime Minister agree that to further drive opportunity and social mobility in our country, it is vital to support projects such as the Cheltenham cyber park, so that, in the future, all our children can go as far as their talents will take them?

The Prime Minister: I agree with my hon. Friend. It is important that we ensure that all children have the opportunity to go as far as their talents will take them, and initiatives such as the Cheltenham cyber park are an important element in that. The wider point that he makes is absolutely right. If we are to ensure that we lift people out of poverty, as we have been doing, then helping them to get into the workplace is the most important thing that we can do. That is why, thanks to this Government’s economic strategy, we see employment up to another record high, unemployment at a 40-year low, and, as my hon. Friend has alluded to, 1 million fewer people in absolute poverty since 2010.

Jeremy Corbyn (Islington North) (Lab): I, too, attended the service last Sunday in memory of those who died at London Bridge, and I would like to put on record my thanks to Southwark cathedral and the Borough of Southwark for all the work that they put into that, and, of course, to all our emergency services who keep us safe all the year round. Yesterday, I was able to do that in person at the Fire Brigades Union conference in Brighton where I was able to thank them for the work that they do to keep us all safe.

Last month, the Brexit Secretary promised a “detailed, ambitious and precise” White Paper on the Government’s negotiating position. Will it be published in advance of the EU (Withdrawal) Bill debate next week?

The Prime Minister: I echo the right hon. Gentleman’s comments about the work that our emergency workers do, day in and day out, to keep us safe, and I think that everybody across this House recognises that and we are all grateful to them for the dedication that they show.

Yes, my right hon. Friend. Friend the Brexit Secretary and I agree that we want to publish a White Paper that goes beyond the speeches and the papers that have been given and published so far, that does go into more detail and that ensures that when we publish it we are able to negotiate with our European Union and European Commission colleagues on the basis that this is an ambitious offer from the United Kingdom for an ambitious trade deal and security partnership in the future.

Jeremy Corbyn: The question was a very simple one actually: it was to ask when this White Paper will be published. Next week, we will be debating the most important piece of legislation we have seen for a very long time and we still have not seen the Government’s negotiating position. Will the Prime Minister at least assure the House that not only will the White Paper be published ahead of the crucial June EU summit, but that there will be an opportunity to debate it in this House ahead of the summit?

The Prime Minister: The right hon. Gentleman talks about the votes that will take place in this House next week on the EU (Withdrawal) Bill, and indeed those votes will be important. They will be important to show our commitment to do what the British people have asked us to do, which is to leave the European Union. If he is talking about clarity ahead of those votes, perhaps he will take this opportunity to do what he refused to do when I asked him last time in Prime Minister’s questions—

[Interruption.]

Mr Speaker: Order. Mr Yasin, calm yourself. You are normally a model of calm and repose. Relax, there is a long way to go.

The Prime Minister: Perhaps the right hon. Gentleman would like to take the opportunity to do what he refused to do two or three weeks ago in this Chamber, which is to stand up and rule out a second referendum.

Jeremy Corbyn: The last time I looked at the Order Paper, it said “Prime Minister’s Question Time”. We were told three weeks ago, to a great deal of fanfare, that the White Paper would set out the Government’s ambition for the UK’s future relationship with the EU
and their vision for a future role in the world. It is nowhere to be seen and there is no answer to when it will be published. Four weeks ago the Prime Minister did confirm that the Cabinet was looking at two options for a future customs arrangement with the EU: a customs partnership model and a maximum facilitation option. Will she now tell us which of her sub-committees has met, what decisions they have made, when they are going to report to the Cabinet and whether we will be told about it?

The Prime Minister: We have already set out our ambition for our future relationship with the European Union, but crucially the Government are delivering on the vote of the British people to leave the European Union. I did not ask the right hon. Gentleman a question. I simply suggested that he could stand up and say what the Labour party's policy was on a second referendum. If he wants to enter the debate next week in the right spirit, he will do just that and rule out a second referendum.

Jeremy Corbyn: It is not the Opposition who are conducting the negotiations but, very sadly, it is not the Government either. Last week the Brexit Secretary put forward yet another new plan, including a 10-mile buffer zone in Northern Ireland. Is that now the Government's option?

The Prime Minister: We are looking at the two options for the customs model. Both of those will do what we have committed to do, which is to ensure that we deliver no hard border in Northern Ireland. We were very clear about what that means in the December joint report. It also means that we ensure that there is no border between Great Britain and Northern Ireland—no border down the Irish sea as the European Union proposed. That is why we are putting forward alternative proposals to the European Union. We continue to negotiate with the European Union on all the issues that need to be addressed before we bring legislation before this House with the withdrawal agreement and implementation Bill. The debate that will take place in this House next week is important because it will show the sincerity of this House to deliver on the vote of the British people to leave the European Union.

Jeremy Corbyn: We have had no answer on the White Paper and I do not think that we have had an answer on the buffer zone. I could say that the one thing that the buffer zone proposal has achieved is bringing just about everybody in Northern Ireland and the Republic of Ireland together. The British Irish Chamber of Commerce said, “the idea is bonkers”. Will the Prime Minister confirm that it remains her plan to leave the European Union in March 2019 and complete the transition by December 2020?

The Prime Minister: Yes.

Jeremy Corbyn: Well, I look at the faces behind the Prime Minister and they are not all at one on this matter. The right hon. Member for Ashford (Damian Green) does not share her certainty; he said that there will be a transition period that will follow her implementation period. When it comes to Brexit, this Government have delivered more delays and cancellations than Northern Rail. The Government's White Paper is delayed, their customs proposals have been cancelled and they have ripped up their own timetable, just like our shambolic privatised railways. This Government’s incompetence threatens our economy, businesses, jobs and communities. My question to the Prime Minister is this: which will last longer, the Northern Rail franchise or her premiership?

The Prime Minister: If the right hon. Gentleman is not willing to stand up in this House and talk about the Labour party policy on Europe, we actually learned a little today from the shadow Brexit Secretary about the Labour party's policy on Europe, who made it clear that it was a “pretence that somehow everybody in the Labour party is in the same place on this”.

So now we know what the right hon. Gentleman is. Labour Members voted for a referendum; they voted trigger article 50; and since then they have tried to frustrate the Brexit process at every stage. Their MEPs voted against moving to negotiate the trade discussions. They voted against the withdrawal Bill. Today, we saw again that they are refusing to rule out a second referendum. The British people voted to leave the European Union, and this Government are delivering on the vote of the British people.

Q2. [905628] Eddie Hughes (Walsall North) (Con): Mr Speaker, I know you are keen to learn more about blockchain, so I have written a paper on it for the think-tank Freer, to help inform the people of Bloxwich about the possible benefits of this technology. With some countries saving up to 2% of GDP by deploying this technology, will the Prime Minister commit to harnessing it to ensure that the UK remains at the forefront of it as we forge a greater, global Britain?

The Prime Minister: I thank my hon. Friend for the work that he has done on distributive ledger technology, as I think we should call it. We are committed to supporting the development and uptake of emerging digital technologies in the UK such as AI and DLT. The Government have invested around £10 million through Innovate UK and our research councils. The Treasury is working with the Bank of England and other financial authorities and looking at these issues in a working group together. We are deploying the technology that my hon. Friend has referred to in order to help Government discharge our duties more effectively, and many Departments are already developing DLT proofs of concept. I thank him for the work that he has done. He might like to distribute the article on the work that he has done to all Members of this House.

Ian Blackford (Ross, Skye and Lochaber) (SNP): Supermarkets running out of food within days. Hospitals running out of medicines within a fortnight. Petrol reserves dwindling after just two weeks. These are the concerns of UK Government officials, and now the—

[Interruption.]

Mr Speaker: Order. There is excessive noise in the Chamber. Mr Wishart, you are a very distinguished fellow, but you are not conducting an orchestra and your services in that regard are not required—at any rate, not on this occasion. Mr Blackford’s question must be heard, and however long it takes, it will be heard.

Ian Blackford: Thank you, Mr Speaker.
These are the concerns of UK Government officials, and now the Dutch Government are telling Dutch businesses not to risk buying UK products. Does the Prime Minister understand the catastrophic negotiating position she has cornered herself into?

The Prime Minister: We have already set out our ambition for that trade deal with the European Union in the future. The right hon. Gentleman talks about supermarkets in Scotland and supermarkets across the rest of the UK. He might pay attention to the supermarket chains in Scotland, which said that one of the most important things for Scotland is to remain part of the United Kingdom.

Ian Blackford: Quite simply, the Prime Minister did not listen to the question, because it was about the fears that have been raised by her own officials on the consequences of Brexit.

For this Government in the negotiations, jobs have been an afterthought, the Irish border has been an afterthought, and the economy—at all costs!—has been an afterthought. While the Leader of the Opposition is playing games, the question she should have asked today is: will the Prime Minister stop her charade and vote for the Lords amendments next week for membership of the EEA and the customs union, protecting jobs and prosperity?

The Prime Minister: Jobs are absolutely at the forefront of what we are considering in terms of our future trade partnership. That is why we are as ambitious as we are for the possibilities of that economic partnership in the future.

The right hon. Gentleman talks about the Northern Ireland border. The Leader of the Opposition complains that we are giving too much attention to getting the answer right on the Northern Ireland border, and the leader of the Scottish nationalists says that we are using it as an afterthought. We are committed to ensuring that there is no hard border between Northern Ireland and Ireland. We also want to ensure as frictionless trade as possible with the European Union and that we are able to operate our independent trade policy. All those are about ensuring that we protect jobs here in the United Kingdom.

Q6. [905632] Chris Skidmore (Kingswood) (Con): The second of July marks the 90th anniversary of the passing of the Equal Franchise Act, when women won the same right to vote as men. To celebrate that, the Government have established the first National Democracy Week, which will take place that week. Will the Prime Minister personally support National Democracy Week and encourage all Members to get involved in it?

The Prime Minister: I thank my hon. Friend for highlighting the upcoming National Democracy Week, which is important. I certainly support it, and I hope everybody across the House does. Because it falls on the 90th anniversary of the Equal Franchise Act, the week gives us an opportunity to look back and see how far we have come as a flourishing democracy. It also gives us an opportunity to champion and encourage greater democratic participation across the country. I hope every Member of the House supports that and will support National Democracy Week.

Q3. [905629] Mr Steve Reed (Croydon North) (Lab/Co-op): I would like to give the Prime Minister another chance to answer the question that she keeps avoiding. The Cabinet agreed to publish a Brexit White Paper ahead of this month’s crunch EU Council meeting, to allow the Government to negotiate. The Brexit Secretary said it would be “detailed, ambitious and precise”. Will she confirm whether the Brexit White Paper will be published before the EU Council meeting, or is she unable to negotiate for the UK because she is negotiating with her own Cabinet?

The Prime Minister: What the Government said is that we will be publishing a White Paper that will be detailed and ambitious, and we will do just that.

Q8. [905634] Bill Grant (Ayr, Carrick and Cumnock) (Con): In the light of the publication of the Scottish National party’s latest independence blueprint, does the Prime Minister agree with the vast majority of Scots that this is not the time to drag us back to another decisive referendum on independence?

The Prime Minister: The people of Scotland voted in a legal and fair referendum to remain part of the United Kingdom, and it is SNP Members, who are completely out of touch with the people of Scotland, who are continuing to press the issue of independence. Now is not the time for a second independence referendum. Now is the time for the United Kingdom to be pulling together, to get the right deal for the United Kingdom and the right deal for Scotland in our negotiations. As I indicated earlier, and as is recognised by many people across Scotland, the most important thing for the future of Scotland is to continue to be part of the UK’s internal market.

Q4. [905630] Jim Shannon (Strangford) (DUP): Together with my colleagues in the Democratic Unionist party and across all parties in Northern Ireland, I very much welcome the announcement yesterday by the Transport Secretary of Government support for a third runway at Heathrow. To secure additional jobs and business growth for the United Kingdom of Great Britain and Northern Ireland and to realise tourism potential, will the Prime Minister ensure that there is no undue delay in scheduling a vote on that important matter?

The Prime Minister: I thank the hon. Gentleman for his words of support for the third runway at Heathrow. We will ensure that that vote is brought to the House in a timely fashion. There is a requirement for it to be brought within a certain period, and we will ensure that that happens. This is an opportunity to increase job opportunities. It is also an opportunity to increase connectivity with other parts of the United Kingdom, which in itself will be of benefit to jobs in other parts of the UK.

Q11. [905637] Stephen Metcalfe (South Basildon and East Thurrock) (Con): As my right hon. Friend is aware, this Government are investing more in national infrastructure than any previous Government, from HS2 to the new Lower Thames crossing. However, we must never forget the personal sacrifice that people are asked to make to allow these projects to progress. Will she therefore remind the various Government agencies involved that they
have a duty of care to our constituents and that they should ensure that no one is materially disadvantaged or physically harmed in the name of investment?

The Prime Minister: My hon. Friend makes two important points: the first is the importance and significance of the investment that is being put into infrastructure across the country; and the second is of course that, as we do that—when we are putting in place these large infrastructure projects—we must make sure that they are planned in consultation with, and with sympathy towards, local communities. Of course, as we see with the proposals for Heathrow, for example, that does come with a significant compensation package for those people who will be personally affected.

Q5. [905631]Melanie Onn (Great Grimsby) (Lab): Grimsby hospital has been forced to spend £50,000 not on patient care, but on fees for doctors’ visas. Of those visas, 85% have been rejected because of restrictions that the Prime Minister imposed as Home Secretary, preventing my local NHS from recruiting the doctors my constituents need. It is a waste of taxpayers’ money, and it is hitting patient care. When will she exempt NHS staff from the cap?

The Prime Minister: As I have said before in this House, we are aware of the issue that has been raised about—I [Interruption.] We have already taken action in relation to nurses. We are looking at the most recent figures, and considering what action should be taken.

Q14. [905640]Michelle Donelan (Chippenham) (Con): Some people holding taxpayer-funded jobs in the UK are paid disproportionate amounts relative to their roles. Some town council clerks earn up to £90,000 a year; chief executives of councils earn up to £250,000 a year; and we still have too many managers in the NHS earning up to £200,000 a year. Does the Prime Minister agree that it is important that we always ensure taxpayers’ money is spent responsibly and that this money would be better spent on our nurses, our police officers, our firefighters and our frontline services?

The Prime Minister: I am sure my hon. Friend understands and recognises that, alongside other terms and conditions, pay is a matter for authorities to manage as individual employers. Of course, since 2010, the Government have put in place a number of measures to increase accountability and transparency on senior pay. The Accounts and Audit Regulations 2015 and the transparency code 2015 require authorities to publish details of senior salaries for staff earning £50,000 or more, which is why we are now able to see the sums that are being earned. We are also legislating on measures—on another issue that has been of concern, I know—to Members in this House—for capping pay-offs at £95,000 and clawing back redundancy payments should workers return to the public sector within 12 months of their exit, making sure that taxpayers’ money is spent responsibly.

Q7. [905633]Lloyd Russell-Moyle (Brighton, Kemptown) (Lab/Co-op): Last year, a quarter of young people thought about suicide, and one in nine attempted suicide. Young people are three times more likely to be lonely than older people. Knife crime is up, and gang crime is up. There are fewer opportunities for young people than ever before—68% of our youth services have been cut since 2010—with young people having nowhere to go, nothing to do and no one to speak to. Is it now time for a statutory youth service, and will the Prime Minister support my ten-minute rule Bill after Prime Minister’s questions?

The Prime Minister: I think “Nice try” is the answer to the hon. Gentleman, but he said that there were fewer opportunities for young people here in this country. May I just point out to him the considerable improvement there has been in the opportunities for young people to get into work and the way in which we have seen youth unemployment coming down?

Justine Greening (Putney) (Con): Heathrow has played an absolute blinder with the Department for Transport. It is a privately owned company that now has a DFT policy to give it an active monopoly status. Better still, it has somehow managed to get a poisen pill clause agreed by the DFT that means the taxpayer has to cover all its costs if things go wrong. Is this not the worst kind of nationalisation—the public sector and taxpayers owning all the Heathrow downsides and risks, and the private sector owning all the upside and the financial returns?

The Prime Minister: Yesterday’s decision to support Heathrow’s expansion demonstrates this Government’s commitment to delivering the jobs and major infrastructure that this country needs to thrive, but the airport expansion will be fully financed by the private sector. The statement of principles is clear that it does not give Heathrow Airport Ltd the right to claim any costs or losses from the Government should its scheme not proceed.

Q9. [905635]Martyn Day (Linlithgow and East Falkirk) (SNP): The Department for Business, Energy and Industrial Strategy has announced limits to the renewable heat incentive for large projects, which places in jeopardy the delivery of landmark renewable energy projects in strategically important industrial areas such as Grangemouth in my constituency, where the limit is inconsequential relative to the amount of heat energy required. What actions will the Prime Minister therefore take to ensure the future of the Grangemouth renewable energy project?

The Prime Minister: The hon. Gentleman raises a specific issue about the Grangemouth renewable energy project. My right hon. Friend the Secretary of State for Scotland will be happy to meet him to discuss it.

Henry Smith (Crawley) (Con): A majority of my Crawley constituents want their trains to arrive without delay, and a majority of them also want Brexit to arrive without delay. Please can we have delivery?

The Prime Minister: Of course, we are taking action on the issues on the railways, to ensure that trains are able to arrive without delay. We will be leaving the European Union on 29 March 2019, and the implementation period will last until the end of December 2020. That is our commitment, and that is what is going to happen.

Q10. [905636]Mr Paul Sweeney (Glasgow North East) (Lab/Co-op): My constituent Giorgi is 10 years old. He was tragically orphaned in February. He has lived in
Glasgow since he was three years old. His only language is English and he speaks it with the same accent as mine. Yet he now faces being deported to Georgia, his late mother’s country of birth, becoming another statistic who suffers at the hands of this Prime Minister’s hostile environment policy. Will the Prime Minister promise today that Giorgi will not, under any circumstances, be torn from his school friends in Glasgow and sent to a country that is entirely foreign to him?

The Prime Minister: The hon. Gentleman raises a very specific individual case. It is right that it be looked at properly, and that is what I will ask the Home Office to do.

Adam Afriyie (Windsor) (Con): I think Members across the House will recognise the role that animals play during war, not only in the sacrifice they make but in the support they give. I thank the Prime Minister for meeting the war horse memorial group from Windsor. The unveiling will take place this Saturday, and I am very proud of the work the group has done. Does the Prime Minister agree that recognition of the role of animals in war can unite us with the Commonwealth and the entire world?

The Prime Minister: I absolutely agree with my hon. Friend. I was pleased to see the maquette of the war horse memorial, which will be unveiled in his constituency this weekend. I am pleased to say that that model is now to properly, and that is what I will ask the Home Office to do.

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The Prime Minister: I absolutely agree with my hon. Friend. I was pleased to see the maquette of the war horse memorial, which will be unveiled in his constituency this weekend. I am pleased to say that that model is now to properly, and that is what I will ask the Home Office to do.
We want to ensure that we do not see our servicemen and women—and, indeed, in relation to legacy issues in Northern Ireland, police officers—as the sole subject of investigations, which is what is happening at the moment. I want to ensure that terrorists are investigated for past crimes as well, which is why the Secretary of State for Northern Ireland has launched the consultation on legacy issues. It is of course open to people to respond to that consultation. We should recognise the importance of ensuring that these matters are dealt with fairly and proportionately. I want to ensure that a focus is put on and investigation is possible for the terrorists, not just, as we see today, servicemen and women and police officers under investigation and terrorists not investigated.

15. [90564] Christian Matheson (City of Chester) (Lab): Will the Prime Minister tell the House whether her hostile environment immigration policy has been a success or a failure?

The Prime Minister: It is absolutely right that as a Government, over the years since 2010, we have taken action against illegal immigration. I am pleased to say that we have been removing illegal immigrants from this country and yes, we have tightened the conditions to ensure that we can take action against illegal immigrants. What is important is that we ensure that people who are here legally are not caught up in the actions intended for those who are here illegally. I hope that the Labour party will understand, recognise and support the need—sadly, one or two comments from those on the Labour party Front Bench suggest that they do not—to take action when people are here illegally.

Chris Davies (Brecon and Radnorshire) (Con): The biggest challenge between the Commons and the Lords takes place next week—yes, I am referring to the Lords versus Commons pigeon race, which has been revived after a 90-year gap and takes place at Bletchley Park next Wednesday. Each Member of both Houses has been asked to sponsor a pigeon, and the money will go to that excellent charity Combat Stress. Will my right hon. Friend join me in not only wishing this revived event great success but sponsoring a pigeon?

The Prime Minister: I would be happy to do so. There was a little bit of laughter when my hon. Friend asked his question about the pigeon race, but it is in an event great success but sponsoring a pigeon?

The Prime Minister: I would be happy to do so. There was a little bit of laughter when my hon. Friend asked his question about the pigeon race, but it is in an extremely good cause: it will raise money for Combat Stress. We have just made the point about the bravery of our servicemen and servicewomen. We should support them in every way we can. I am happy to sponsor a pigeon and I encourage every Member of this House to do so as well.

Liz Saville Roberts (Dwyfor Meirionnydd) (PC): The Brexit vote means that families are already £900 a year worse off, while both Tories and Labour peddle the fiction of single market rewards without responsibility. I ask the Prime Minister, her hon. Friends and the Opposition: how much poorer will families become as they indulge in fantasy politics?

The Prime Minister: I have made clear to the House the imposition we hope for our future economic partnership. The hon. Lady stands up and talks about fantasy politics. Perhaps she would like to go out and speak to the people of Wales, who I might remind her voted to leave the European Union.

David Duguid (Banff and Buchan) (Con): Does my right hon. Friend share my disappointment and astonishment that Labour and Scottish National party MEPs last week ignored the interests of British fishermen when they voted to back the European Parliament in an attempt—[Interruption.] It is true—to keep the UK inside the common fisheries policy? Will she confirm today that she still intends the UK to become a fully independent coastal state?

The Prime Minister: I find it extraordinary that the SNP and the Labour party are supporting our continued membership of the common fisheries policy. This party, the Conservative party, is the party that will take the United Kingdom out of the common fisheries policy and ensure that we can become the independent fishing state to which my hon. Friend refers.

Mr Jim Cunningham (Coventry South) (Lab): Despite the Prime Minister’s claims that she has put more money into education—she claims she has put £1.5 billion into education—over the past two years she has cut about £4 billion from education. With classroom sizes rising, teachers’ pay capped and school budgets cut, what is the Prime Minister going to do about it?

The Prime Minister: I do not recognise the description the hon. Gentleman sets out. We have indeed put more money into education in our schools. Through our national funding formula we are ensuring its fairer distribution across schools and we are making more money available for schools over the next two years.

Andrea Jenkyns (Morley and Outwood) (Con): We all appreciate what an extremely difficult job the Prime Minister has in striving for the best possible deal for our country regarding Brexit, but has the time not come to reiterate to our EU friends, echoing the words of the Prime Minister herself, that no deal is better than a bad deal? In what circumstances is she prepared to walk away from the negotiations, saving the British taxpayer billions of pounds?

The Prime Minister: My hon. Friend is absolutely right that I have said consistently that no deal is better than a bad deal. I have also said that we are working to ensure that we get the right deal and the best deal possible for the United Kingdom. We recognise the importance of ensuring that as a country we prepare for all scenarios. That is why Government Departments are looking at the issue of a no deal, because they are preparing for all contingencies. That is absolutely right for them to do so. Some of the arrangements that will be put in place for a deal will be the same as arrangements for a no deal and the Treasury has of course made money available to Government Departments to ensure that they are able to make all the preparations necessary.

Laura Pidcock (North West Durham) (Lab): Wolsingham school in my constituency has been forced to suspend its sixth form as the result of years of cuts to post-16 education by this ruthless Government and a national funding formula that discriminates against smaller rural communities and their schools. The Education Secretary has washed his hands of the issue. As a result, young people in my community will face four hours or more in journey time for their education. Wolsingham is the
first to face this crisis, but sixth forms across the country will collapse under the current funding situation. Will the Prime Minister intervene to help our schools, and the broader network of sixth forms and sixth-form colleges?

The Prime Minister: I am pleased the hon. Lady mentions Wolsingham—I well remember it from when I stood in North West Durham. [Interruption.] No, I was not successful. [Interruption.]

Mr Speaker: Order. I hope it is not being suggested that that is some sort of savage personal indictment of the Prime Minister. It probably was not very propitious territory at the time.

The Prime Minister: I understand that the decision to suspend recruitment to Wolsingham School’s sixth form was made by the school governing body after student numbers had fallen in recent years and that other good and outstanding school sixth forms and colleges are available within travelling distance of Weardale. Some young people are already choosing to access those, rather than the local school sixth form, but the local authority is looking at the question of future travel arrangements—that is its responsibility for post-16 transport—while our new national funding formula for pre-16 schools will help to safeguard rural schools by ensuring a more appropriate funding formula across the country, with a lump sum for every school and additional support for small rural schools.

Rachel Maclean (Redditch) (Con): Will the Prime Minister join me in congratulating four schools in Redditch—Inkberrow First School, Woodfield Academy, Crabb's Cross Academy and Ridgeway Academy—which have received nearly £1 million to improve their buildings, which will help our young people get a great start in life? Does she agree that it is only because of our strong management of the economy that we can invest so much to help young people up and down the country?

The Prime Minister: My hon. Friend makes a very important point, and I am happy to join her in welcoming the funding available to those four schools in Redditch. We are able to put more money into our schools and education only because our strong management of and balanced approach to the economy means that that money is available. Labour in government would borrow more, spend more, tax more and leave the country on the brink of bankruptcy.

Sandy Martin (Ipswich) (Lab): Following the tragic murder of a 17-year-old on Saturday in broad daylight in front of his friends, will the Prime Minister meet me and the police and crime commissioner for Suffolk to discuss how such violent crimes might be prevented in Ipswich?

The Prime Minister: Of course, we are deeply concerned about crimes such as the one the hon. Gentleman has referenced, which took place in his constituency. The former Home Secretary had already published a serious violence strategy, and the current Home Secretary will be taking it forward. I am sure the Home Office, working with the police, will look at this issue very carefully to ensure that every effort is being made out there to take the steps necessary to deal with serious violence. I will ask the relevant Home Office Minister if he would be prepared to meet the hon. Gentleman to discuss the matter.
Points of Order

Mr Speaker: I call Justine Greening to raise a point of order.

12.48 pm

Justine Greening (Putney) (Con): On a point of order, Mr Speaker. I wonder if you could give me some advice. I do not think the Department for Transport has given the Prime Minister good advice. The statement of principles referred to—

[Interruption.]

Mr Speaker: Order. This matter and the right hon. Lady deserve to be heard. Although I invited her to raise her point of order, I feel that the House is not able fully to savour it in the present atmosphere. When colleagues have successfully beetled out of the Chamber—preferably without noise—we might be able to proceed with our business and to accord her the courteous reception she deserves.

Justine Greening: Thank you, Mr Speaker. Can you give me some advice? I think the Department for Transport has misinformed the Prime Minister about the statement of principles she referred to. Paragraph 2.1.6 states that Heathrow “reserves its rights (including but not limited to its rights to pursue any and all legal and equitable remedies (including cost recovery) available to it under law) in the event of...an alternative scheme being preferred by the Secretary of State or Government...and/or the withdrawal of the Government’s support for aviation expansion for Heathrow Airport”.

How can I correct this with No. 10?

Mr Speaker: Let me say a number of things to the right hon. Lady. First, I think that she has found her own salvation, because in raising her point of order she has aired her very specific and detailed concern about the alleged inaccuracy of what has been said, and what she has said by way of contradiction of those statements is now on the record and will, as she knows, be published in the Official Report tomorrow. It is also imaginable—I put it no more strongly—that the right hon. Lady might wish to communicate what she has said, and supply copies of the Official Report, to her constituents or to media outlets in her constituency, which is a perfectly legitimate and proper thing for her to do.

Secondly, I say to the right hon. Lady that this is not a matter for the Chair. Thirdly, I say to her that there are many mechanisms available to her to pursue the matter further. I believe that there is to be a debate in Westminster Hall on the relevant subject tomorrow; there will be business questions tomorrow; and, of course, matters that are judged to be urgent can be heard tomorrow. So I think that there is a long way to go, and I have a sense—knowing the right hon. Lady as well as I do—that we will be hearing from her regularly on this important subject in the period that lies ahead.

Debbie Abrahams (Oldham East and Saddleworth) (Lab): On a point of order, Mr Speaker. Yesterday the Secretary of State for Work and Pensions announced in a written statement that the personal independent assessment contracts of current assessors would be extended. Given that two thirds of assessments are overturned on appeal, and given the general public concern about personal independence payments as a whole, is there any advice that you can give to ensure that future announcements of this kind can be properly scrutinised by the House by means of an oral statement?

Mr Speaker: The question of whether either a change of policy or a controversial confirmation of existing policy warrants a written or an oral statement is first and foremost a matter for the Government; it is not a matter for the Chair. If, however, a matter is not treated in the form of an oral statement and a colleague, or maybe more than one colleague, reckons that to be unsatisfactory and thinks that the matter should be aired in the Chamber, there are means by which to increase the prospect of that happening. I think that the record over the years shows that I have not been shy in granting such opportunities.

I am not familiar with the full details of this matter, although I understand the thrust of what the hon. Lady has said, but it seems to me that—rather as with the right hon. Member for Putney (Justine Greening)—there is still a considerable distance to travel, and there are plenty of opportunities for the hon. Lady to try to secure ministerial attention to the subject in the Chamber.
Speaker’s Statement

12.52 pm

Mr Speaker: Before we come to the presentation of Bills, there are some words that I want to convey to the House following a letter of receipt.

I have received a letter from the hon. Member for Folkestone and Hythe (Damian Collins), the Chair of the Digital, Culture, Media and Sport Committee, requesting that I give precedence to the matter raised in that Committee’s third special report, which was published yesterday, namely a prospective witness’s refusal to comply with an order of the Committee to attend. Having considered the issue, I have decided that it is a matter that I should allow the precedence accorded to matters of privilege. Therefore, under the rules set out in pages 273 to 274 of “Erskine May”—pages with which I feel sure colleagues are very closely familiar, and of which I am merely reminding them—the hon. Gentleman may table a motion today for debate at the commencement of public business tomorrow, Thursday 7 June. The hon. Gentleman’s motion will appear on tomorrow’s Order Paper, to be taken after any urgent questions and statements. I hope that that is helpful and informative to the House.

BILLS PRESENTED

COUNTER-TERRORISM AND BORDER SECURITY

Presentation and First Reading (Standing Order No. 57)

Sajid Javid, supported by the Prime Minister, the Chancellor of the Exchequer, Secretary Boris Johnson, Secretary David Gauke, Secretary Chris Grayling, Secretary David Mundell, Secretary Karen Bradley and Mr Ben Wallace, presented a Bill to make provision in relation to terrorism; to make provision enabling persons at ports and borders to be questioned for national security and other related purposes; and for connected purposes.

Bill read the First time; to be read a Second time tomorrow, and to be printed (Bill 219) with explanatory notes (Bill 219-EN).

PARENTAL LEAVE AND PAY ARRANGEMENTS

(PUBLICATION)

Presentation and First Reading (Standing Order No. 57)

Jo Swinson, supported by Caroline Lucas, Mr David Lammy, Ms Harriet Harman, Nicky Morgan, Gareth Thomas, Alison Thewliss, Layla Moran, Sir Edward Davey, Mr Alistair Carmichael, Norman Lamb and Christine Jardine, presented a Bill to require employers with more than 250 employees to publish information about parental leave, and pay in the course of such leave; and for connected purposes.

Bill read the First time; to be read a Second time on Friday 15 June, and to be printed (Bill 220).

12.55 pm

Lloyd Russell-Moyle (Brighton, Kemptown) (Lab/Co-op): I beg to move,

That leave be given to bring in a Bill to require the Secretary of State to promote and secure youth services and provision of a requisite standard; to impose a duty on local authorities to provide youth services and establish local youth service partnerships with youth participation; and for connected purposes.

There is no doubt that youth services improve the life chances of individual young people, taking them beyond the constraints of the contours of their neighbourhoods and offering them new experiences of everything from the arts to outdoor adventures. Young people gain from those experiences. Youth work supports but does not replace formal education. It enhances the readiness for learning in the classroom and learning in life, but it does not only help young people in the classroom; it also helps them to develop the skills and attitudes that are needed for the employment about which the Prime Minister was so boastful today, and, of course, for general adult life, by giving them a chance to learn to relate better to each other and to different adults in a safe and challenging environment. They are enhanced, and our communities are enhanced.

Despite all that, however, a 2016 study showed that 600 youth centres had closed around the country, 3,500 youth workers had lost their jobs, and 140,000 places for young people had been lost. We should bear it in mind that those figures are two years old, and the cuts have only continued. Research carried out this year by the House of Commons Library has shown what the cuts have meant in terms of funding. In 2010 we spent £1.2 billion on youth work, youth services and related youth activity; last year we spent £358 million, which amounts to a 68% cash-terms cut.

I do not know what service or provision would survive that, and the youth sector certainly has not. Many parts of our country now have no youth service at all. Young people simply seek somewhere to go, something to do and someone to speak to. That is the simplest of mottos, but it sums up what youth work is about. Youth workers can prevent young people from undertaking harmful behaviour, and give them advice so that they can make informed decisions. So starkly is all this being felt that young people aged between 16 and 24 are now the highest demographic age group for feeling lonely. One in 10 say that they always or often feel lonely, which is a disgrace. When young people do reach out for help, in my city alone they can face 12 months to see a professional

However, the problem is not just mental health, but crime as well. Young people who are devoid of positive influences can fall foul of negative ones. The Office for National Statistics has found that knife crime has increased by 22% in a year. We have also heard that the Ministry of Justice is cutting youth offending budgets in real terms this year—and so the misery goes on.

Our news media, and some of us in the Chamber, often characterise young people as the problem. The language used to describe some of the problems that they face is a constant reinforcement of that, referring
to “youth gangs” and “young offenders”. The empowerment of young people as actors for positive change is constantly diminished in the narrative that they are a problem to be contained, to be ignored, or to be dealt with. Well, I think we are the problem. Youth work has a positive impact on young people’s lives, and what have we done? We have cut, and cut, and cut again, and then we blame young people when things fall apart. Our young people are not the problem—our inability to support and listen to them is.

I say proudly that I worked in my local youth service for many years and at the National Youth Agency, and I am proud to say that I was also a voluntary group leader in my local youth group, the Woodcraft Folk, and its national chair. Of course, before that, I was a young person involved in the Youth Parliament and British Youth Council.

Ms Angela Eagle (Wallasey) (Lab): Not so very long ago.

Lloyd Russell-Moyle: Thank you. These three roles—young person, voluntary youth leader and professional youth worker—are distinct, but so often they are confused. In times of cuts, voluntary youth organisations are now having to step into professional statutory youth services, with volunteers overworked and frankly under-qualified for the technical detail. Young people have to organise their own activities without the previous support of the voluntary youth leaders who are so busy picking up the pieces. My Bill seeks to clarify the position following the guidelines set out by the Council of Europe and give registered youth workers a footing in law.

Most parents and members of the public will be surprised that the role of youth worker has no professional standards, as there are, say, for teachers, and anyone can profess to be a youth worker. My Bill seeks to redress that while celebrating the important role of voluntary youth leaders in our voluntary youth sector. Youth workers are all too often dismissed. They work long hours in difficult circumstances, often without a “thank you”. For my part, I would like to place on record a sincere thank you to the youth workers who have come to Parliament today to help to lobby for this Bill and for the importance of youth work generally. Thank you for staying back late and having a chat with that young person going through crisis. Thank you for organising those weekend trips or sports activities. Thank you for applying for those grants to give your young people the opportunities that they would never have had. Youth workers’ work is important and that is why they need support, but their support needs resource.

Some may say that councils already have the power to provide resources and to choose to fund youth services, but we know that in times of tight budgets, councils up and down the country are unable to spend what they would like and focus only on statutory provision. The Education and Inspections Act 2006 places a duty on local authorities to secure access to provision, but there are no definitions in that Act of what access to provision would look like, and the Government and councils have largely ignored it. There is little guidance on securing access. There is no requirement to develop plans or monitor the sufficiency of these services. There is no redress if councils fail in this duty and importantly, there is no funding to make sure that it happens.

My Bill rectifies that. It requires each authority to establish a youth services board with young people, parents, professionals and councillors—just like a school governing body—that will assess and plan the provision in that area. My Bill requires the plans to be submitted to the Secretary of State to nominate a body to review those plans. Many bodies exist: the National Youth Agency, for example, hosts much of the standard setting and the joint negotiating bodies for youth work already, but since 2011 it has received no Government funding and has had no statutory underpinning for its work. So bad has the situation got that the all-party group on youth affairs, which I chair, is launching an inquiry into youth services across the country, seeking out good examples and challenges. We have asked MPs to join us and we hope to develop a parliamentary scheme for MPs to visit youth clubs and youth centres around the country during recess. While that cross-party work goes on separately from the Bill, I hope that it too will raise the plight of youth services in our country.

It was the UK that first established clubs such as the YMCA and the Scouts and which pioneered a voluntary youth work sector. The UK, first in Coventry and then in councils around the country, established municipal youth clubs and showed the world how youth services could be run, but these gains have all been whittled or even swept away along with the futures of our young people. This is to our shame. A country where every young person has somewhere to go, someone to speak to and something to do is surely not too much to ask.

Question put and agreed to.

Ordered.

That Lloyd Russell-Moyle, Emma Hardy, Emma Dent Coad, Thelma Walker, Catherine West, Alex Sobel, Rosie Duffield, Liz Twist, Danielle Rowley, Grahame Morris and Karen Lee present the Bill.

Lloyd Russell-Moyle accordingly presented the Bill.

Bill read the First time; to be read a Second time on Friday 26 October, and to be printed (Bill 221).
Opposition Day  

[13TH ALLOTTED DAY]  

Retail Sector  

1.6 pm  

Rebecca Long Bailey (Salford and Eccles) (Lab): I beg to move.  
That this House notes that 21,000 jobs were lost in the retail sector in the first three months of 2018 due to store closures and company administrations, with more announced since; further notes that the retail sector is one of the largest employers in the UK and contributed £94.6 billion to the UK economy in 2016; regrets that the Government’s industrial strategy contains only three references to the retail sector; further regrets that the Government has presided over the biggest squeeze in wage growth in a generation, is failing to provide certainty around future trading arrangements after Brexit and has failed to ensure a fair business rates system; and calls on the Government to urgently publish a strategy for the retail sector.  

Melanie Onn (Great Grimsby) (Lab): Will the shadow Minister give way?  

Rebecca Long Bailey: I will.  

Melanie Onn: I thank the shadow Minister. The point on business rates is one that small businesses in my constituency regularly raise with me as something that not only curtails their opportunity to grow, but impedes their security for the immediate future. Does she think that the Government should do something about this immediately?  

Rebecca Long Bailey: I thank my hon. Friend for her intervention and I completely agree. I will come on to business rates and the action that I would suggest that the Government take shortly.  

Kate Green (Stretford and Urmston) (Lab): I welcome this debate. My hon. Friend may be aware of research by Revo and intu shopping centres that looked at the UK’s appeal to international investors in the retail sector. They highlighted that business rates were the single biggest inhibitor of new international inward investment. Does she agree that that is a further reason why, in a post-Brexit environment, it will be all the more important that we review our business rate regime?  

Rebecca Long Bailey: Yes, and I thank my hon. Friend for her intervention—I completely agree. Before I start the substantive part of my comments, it is important to note that the commercial retail sector has faced significant strain over recent years, affecting landlords and tenants alike. That is not least due to the business rates system. A lot of major property investors—for example, St Modwen—have divested themselves of their retail arms, because they are simply not profitable anymore, not only for tenants but for landlords, so it is critical that the business rates question is addressed urgently.  

Rachael Maskell (York Central) (Lab/Co-op): I really appreciate my hon. Friend giving way on such an important issue as business rates. Can she fathom why the Government, when they announced 15 months ago that they were going to review business rates, have not done anything to progress this issue?  

Rebecca Long Bailey: I completely agree, and now I will begin the substantive part of my comments, if I may.  
The retail sector is undergoing a period of transformative change that will impact millions of workers across the UK. As has been played out in the press over the last few months, the sector is experiencing huge challenges, with almost silence from the Government, sadly. We have seen an onslaught of store changes; big-name chains that have been the stalwart of our town centres and high streets for years have collapsed and gone into administration.  

Alex Cunningham (Stockton North) (Lab): My home town of Stockton won the rising star award in the British high street awards, sponsored, ironically, by Marks & Spencer, which is now abandoning our town after taking profits from our people for over a century. We believe however that our town has got a future, but does my hon. Friend agree that firms like Marks & Spencer should consider the future prospects of towns properly, and show a bit of loyalty to their loyal customers instead of taking their profits and running off to out-of-town shopping centres?  

Rebecca Long Bailey: I agree with my hon. Friend, but the issue is twofold. It is not simply about imposing obligations on businesses; the Government have a duty to provide a fertile business environment in which large and small businesses can grow and provide a positive contribution to their communities.  
Toys R Us and Maplin collapsed on the same day in February, putting 5,500 jobs at risk in one day. Card Factory, Moss Bros, Laura Ashley, Carpetright and Mothercare have all issued profit warnings this year, and some have entered into company voluntary arrangements, with hundreds of store closures expected. In April we heard news of a possible merger between Asda and Sainsbury’s; a couple of weeks ago the one and only Marks & Spencer announced it will be closing 14 branches this year and 100 stores by 2022; and just this week there were reports that House of Fraser is on the brink of collapse and attempting to negotiate a CVA. That list is not exhaustive but it clearly demonstrates the scale of the challenge faced by the industry.  
I am sure many Members across the House will at one point or another have worked in the retail sector; it is many people’s first experience of the working world, as it was for me. My first job was as an assistant at a pawn shop. I must clarify that it was a pawn shop, not a porn shop—at a meeting a few years ago I said I had worked in a pawn shop and one lady in the audience, thinking it was a porn shop, was horrified. That first job was important because it taught me valuable skills and allowed me to gain some financial independence, but for millions of people retail is not just a Saturday job; it is their livelihood. It is therefore vital that the Government take the challenges facing the sector seriously and provide support to it.  
The industry is one of the largest sectors in the UK, contributing £94.6 billion to the UK economy in 2016. However, staggeringly, its productivity is less than four-fifths...
that of the national average, and this low productivity drags down the productivity of the UK, a point made recently by the Institute for Public Policy Research. And, sadly, with low productivity comes low pay. We should not fall into the trap of thinking that all people in retail are low paid and in economic hardship—the student doing a summer job would certainly not be in that position—but there is a widespread problem in the retail sector, and according to the Joseph Rowntree Foundation there are around 1.5 million people in low pay in retail, with a higher proportion of households facing economic hardship than in working households generally.

Because retail is such a large sector, the industry now accounts for just under one third of the total number of people in low pay in the UK. The economic importance of the sector should therefore not be understated, and the Government should be doing more to support it. I am sure the Secretary of State will listen to my suggestions today, but I hope that when he speaks later he stagers me with a comprehensive plan to support the sector.

I will start my kind suggestions to the Secretary of State by saying that one of the most glaring omissions from the industrial strategy White Paper was an appreciation that an industrial strategy is not just about labs or hard-hats, but is also about low productivity service sectors, where the majority of people work. Investing in and talking about headline-grabbing hi-tech industries is of course critical, but this alone does not constitute an industrial strategy. Despite the Government’s intention to improve productivity, sadly the industrial strategy Green Paper mentioned retail only twice in 132 pages, and the White Paper only three times in 256 pages, with vague references to working “closely with sectors such as hospitality, retail and tourism on each of the foundations of productivity”, but with very little detail to match.

Many challenges are facing the sector, and I will touch on just a few key areas today. Retail firms have since the economic crisis come under increasing pressure. Things have got so bad that in the first three months of 2018 some 21,000 jobs in the retail sector were at risk. The drive towards online retailing, and indeed bad weather, have of course had a significant impact on our spending habits, but one reason for this that is rarely mentioned is a clear failure to sustain wage growth. Wages are not expected to return to pre-crash levels until at least 2022, and household debt has spiralled to unprecedented levels. This clearly has a significant impact on what people spend their money on, with many, sadly, relying on credit cards just to get by each week, never mind buy luxury items.

The Office for National Statistics has stated that consumer spending is worth around 60% of GDP, and it has been one of the driving forces behind the recovery of the UK economy. Interestingly, however, trends are showing that British consumers have stopped taking on more debt, and Credit Suisse recently told clients that it believes this trend will continue, which would damage one of the key drivers of GDP growth.

Another issue is the increasingly hostile business environment many retailers are now facing. But it is not just business that will lose out; communities are having their hearts ripped out and high street after high street is becoming littered with empty shops, charity shops and bookmakers.

Ged Killen (Rutherford and Hamilton West) (Lab/Co-op): Does my hon. Friend agree that another issue for high streets is that the banks have been leaving? Many retailers tell me that having an ATM beside their business makes all the difference to their takings. Does my hon. Friend think that the Government, as the majority shareholder in RBS, should step up to the mark and take action on branch closures?

Rebecca Long Bailey: I completely agree, and interestingly historically RBS had a last-man-standing agreement to be the last bank on many high streets, and that does not seem to have been enforced by the Government, so I call on the Secretary of State to look at this. My hon. Friend makes a pertinent point, and it is not just bank closures that are damaging the high street infrastructure; the closure of post offices is also a significant issue.

These issues are exacerbated even further by years of under-investment in many of our regions and nations. If the Government are not prepared to provide the tools businesses and communities need to provide a fertile environment for local businesses, how can we expect these fortunes to change? A worrying report by David Jinks called “The Death of the High Street” argues that, unless we see radical change within 13 years, the impact of online shopping and home deliveries will “destroy” over half of today’s town centre stores. His report also argues that between 2020 and 2030 half of the UK’s existing shop premises will disappear; 100,000 stores will close, leaving just 120,000 shops on our high streets.

Britain’s high streets are fading away because new shops are not opening fast enough to replace those that close. The Government attempted to deal with this issue through the Portas review, which advised that town teams be created to assist towns undergoing significant strain, but official funding for town teams ended on 1 April 2015.

The Government’s recent announcement to develop local industrial strategies was a welcome step forward. However, think-tank Locality stated last month that there was a capacity gap in Whitehall for developing these, leading to concern that a pipeline of local industrial strategies will face significant delays. I will be grateful if the Secretary of State provides clarity on this and confirms what resources are available to local enterprise partnerships and local authorities in taking these strategies forward.

EU funding has also been a significant supporting factor to many areas in decline; it has always been strongly targeted at less prosperous regions. The Government are currently failing to provide any certainty to business over the UK’s future trading relationship with the EU, the extent of regulatory alignment, or access to labour, but they have also failed to provide clarity on one key tool that previously helped spur the regeneration of many towns and high streets that had been starved of investment: EU structural funds. We know that the Government are planning a new fund to replace them when we leave the EU, but so far there has been no commitment on the scale of that fund, on how it will be administered or which investment it will be directed at. Will the Secretary of State give us more information on that today?

When we add to this massive uncertainty the significant cuts that local authorities have faced in recent years, we have a recipe for complete high street annihilation. That environment, and the lack of support that many businesses
face, was made very clear in the shambolic handling of last year’s business rates revaluation, in which many businesses faced an unmanageable overnight hike in their rates. I am pleased that the Government have brought forward CPI indexation, but I urge them to go further by immediately introducing statutory annual revaluations, guaranteeing a fair and transparent appeals process and excluding new investment in plant and machinery from future business rates valuations. They must urgently evaluate and reform the whole system to make it fit for purpose and capable of addressing the changes that we are seeing in the sector.

Businesses were failed not only in regard to business rates; we also saw a failure to handle the scourge of late payments, which can lead to businesses struggling to make it fit for purpose and capable of addressing the changes that we are seeing in the sector. Many of those businesses will never see their money again. I urge the Government to adopt Labour’s position by ensuring that anyone bidding for a Government contract is mandated to pay their own suppliers within 30 days and by developing a robust system of binding arbitration and fines for persistent late payers.

As the retail sector struggles, how to boost productivity remains a major challenge. There are at least two schools of thought on this. The first concentrates on improving technology and ultimately automating many jobs. That involves automating warehousing, sales, deliveries and so on, and job losses could result. That was the view of Deloitte, which suggested that 60% of jobs could be lost. The jobs that would remain would require a range of skills such as operating advanced machinery, software and robotics. They are likely to be higher paid and involve higher skills.

The second model involves redesigning how business operates to boost productivity growth. Research from the Joseph Rowntree Foundation has shown that many capable employees in the retail sector are reluctant to move up the rungs of the management ladder, as that involves greater responsibilities without much of an increase in pay. Jobs need to be redesigned so that an individual performs a range of different tasks that straddle the staff-management boundary and pay is increased. In that way, talented individuals could be engaged in the management side, raising performance and productivity. Either of those models—or a hybrid of the two, whichever the Government chose to take forward—would require dedicated Government investment in skills training for employees, to enable them to navigate the changes.

Rachel Maclean (Redditch) (Con): I agree with a lot of the challenges that the hon. Lady is outlining. My son works in the retail sector, and he has recently had a promotion to management level. He is only 18, so I give full credit to Zara for encouraging his talents. Does she agree, however, that the Government’s approach in bringing in T-levels has played an important part in tackling those challenges and that they are working with industrial partners to bring those changes forward?

Rebecca Long Bailey: Thank the hon. Lady for her intervention. Please will she congratulate her son on his recent promotion? Some of the Government’s commitments are welcome, including the national retraining scheme and the T-levels that she has just mentioned, but sadly they are meaningless in the context of the cuts that we have faced over recent years. For example, £64 million was announced for the national retraining scheme, but £1.15 billion was cut from the adult skills budget between 2010 and 2015. I hope that the Secretary of State will put forward proposals today to increase investment in skills, because if we do not invest in skills, we will not be able to take our employees on the journey that they need to make.

Stephen Kerr (Stirling) (Con): The hon. Lady has been speaking for some time now, giving her analysis and talking about what the Government should do, but in her position as the shadow Secretary of State for Business, does she have any pearls of wisdom to give to retailers on what they should do to attract people into their retail outlets?

Rebecca Long Bailey: I thank the hon. Gentleman for his comments, and I do apologise for speaking for some time. If he listens, perhaps he will get some of those pearls of wisdom in due course. The point I am making is that the Government need to recognise that businesses need support. Businesses themselves need to innovate and to ensure that they drive productivity increases in-house, but the Government need to show dedication to providing the tools required to increase fertility in the business environment. Frankly, that is not happening at the moment.

An essential element in improving retail productivity is innovation, which is the best means of raising wages and boosting the competitiveness of British industry. Innovation is required by businesses themselves, as I have just pointed out to the hon. Gentleman, but the Government must commit more money to research and development spending. They referred in their White Paper to increasing that spending to 2.4% of GDP, which is welcome, but if they are really going to support low productivity sectors such as retail and ensure that we can compete on the world stage, they need to increase it to at least 3%, as other world leaders such as South Korea and Japan have done.

I also welcome the Government’s recent establishment of a Retail Sector Council, but I have heard very little information about it since its establishment. Will the Secretary of State update the House on how often the council has met so far and whether there have been any discussions with the Government about what role the Government can play in boosting innovation in the sector? Labour has pledged to establish a catapult centre in relation to retail, to lead on technological, managerial and employee innovation. This is important because the Fabian Society recently reported that increasing managerial innovation and sharing best practice in retail can drive productivity by improving quality, as well as sales and business growth, and I call on the Government to examine Labour’s catapult centre proposals.

Infrastructure investment is also a critical part of boosting productivity in the sector. We must recognise that the future of our high streets depends on quality infrastructure, transport links, parking amenities and high-speed broadband, as well as on the local anchor institutions that draw people in, such as entertainment and leisure facilities and libraries. The sums announced
in the White Paper are sadly negligible, and the TUC has stated that public investment will be increased to just 2.9% of GDP, while the average invested by other leading industrial nations in the OECD is 3.5%. Again, I hope that the Secretary of State has some earth-shattering updates for me today, to restore our faith in what the Economic Justice Commission recently dubbed “the most regionally unequal country in the whole of Europe” in terms of investment in our regions.

This brings me to the subject of retail workers, who are vital to the success of the sector. They provide positive customer experiences, and a lack of staff can have an adverse impact on customer service levels. The impact of job losses in retail should therefore not be understated. They have a profound impact on families and communities right across Britain. Retail has traditionally provided entry-level, part-time and flexible jobs for millions across the UK, and it has often provided livelihoods for people who have had to leave declining industries in particular regions.

Anna McMorrin (Cardiff North) (Lab): One of my constituents who is directly affected by this has written to me. Her husband works in retail, and she is appalled by the contract changes being forced on people working in the sector, particularly in Sainsbury’s, where 9,000 long-standing and loyal staff will suffer a significant pay cut of up to £3,000 and see their paid breaks and premium pay scrapped.

Rebecca Long Bailey: My hon. Friend makes a vital point, and I shall come on to that shortly.

For some people, working in retail may be their only viable employment option. If a chain goes under and the local store closes or relocates out of the area, they will either have to travel further afield to find work or decide that the journey is simply not cost-effective and be forced to give up work altogether. According to a recent report by the Fabian Society, forecasts for the reduction in employment in the industry suggest that women, who make up the majority of the retail workforce, will sadly be the hardest hit. Workers in the retail sector are vulnerable, as my hon. Friend has just said. When costs need to be cut, workers are usually the first to face the squeeze. Only recently, Sainsbury’s announced sweeping changes to contracts for up to 130,000 staff in stores across the UK.

Mike Amesbury (Weaver Vale) (Lab): Does my hon. Friend agree that the likes of Lidl, which has its senior management at Manor Park in Runcorn, should allow access to the trade union USDAW, because a healthy workforce is a productive workforce?

Rebecca Long Bailey: My hon. Friend makes an important point about another key factor in improving productivity. This is about not just improving skill levels, but engaging with the workforce proactively and collaboratively. That is best done through trade union membership and allowing trade unions access to workplaces. Key issues on the shop floor can be identified and dealt with quickly, increasing productivity overall.

Kate Green: I am a proud USDAW member, and will my hon. Friend join me in commending its “Freedom From Fear” campaign, which seeks to ensure that shop workers are safe at work, travelling to work and leaving work? Too many of them still risk abuse and unpleasantness from customers in the workplace.

Rebecca Long Bailey: I thank my hon. Friend and support what she says.

Going back to Sainsbury’s, staff will no longer get paid breaks or higher rates of pay for working on a Sunday under the new terms. Premium rates for night-shift work will be restricted to between midnight and 5 am, and shop floor staff will no longer be able to earn bonuses. It is interesting, however, that the freeze on bonuses is allegedly not likely to impact senior managers or the CEO, who will still receive their bumper bonus packages. There are also worrying reports that staff may be forced to resign if they refuse to sign these new contracts.

Sainsbury’s is not alone in this trend towards fluctuating terms and conditions and insecurity. As USDAW recently reported, a number of clear trends within the sector have led to the workforce feeling increased pressure. Many retailers, seeking to maximise flexibility to deal with fluctuations in customer demand, have introduced flexible, short-hours contracts. As a result, two thirds of USDAW members are regularly working additional hours above those that they are contracted to work, yet they have no guarantee that those hours and the associated income will be available to them in the future. The Bakers, Food and Allied Workers Union reports similar trends, with McDonald’s workers recently striking in a dispute over zero-hours contracts and working conditions.

The Government’s recent response to the Taylor review included a right to request more stable hours, which I referred to when the Secretary of State made his statement on the review, but how does that actually differ from the current position? Without an obligation on the employer to accept, it is meaningless and I urge him to reconsider.

Justin Tomlinson (North Swindon) (Con): Coming from a family of shopkeepers and as a former co-chair of the all-party parliamentary group on retail, I have been listened very carefully, but the shadow Business Secretary has made hardly any mention of Amazon and the onslaught of online trading that has decimated footfall on the high street. The vast majority of her speech has been gibberish to people in retail, with no practical suggestions. I hope that there will be something in her conclusion.

Rebecca Long Bailey: With the hon. Gentleman’s knowledge of the sector, I am surprised that he says that, given that business rates are one of the critical issues affecting the high street. Retailers often tell me about the unfairness of businesses such as Amazon receiving skewed business rates valuations due to the size of their operations, so I have dealt with that point.

Vicky Ford (Chelmsford) (Con): I have listened carefully to the hon. Lady, who has accused British retailers of lacking innovation. However, the UK is the third largest e-commerce market in the world. Digital taxation needs to be done on a cross-border basis, so will she join me in congratulating our Chancellor on getting 100 countries across the world to look at implementing a digital tax to allow us to address the level playing field between online and offline?
Rebecca Long Bailey: I have not in any way, shape or form suggested that any business lacks the capacity or drive to innovate—quite the contrary—but they do lack Government support to drive that innovation. As for making tax digital, I ask the hon. Lady to read some of the Library research. While the sentiment is credible, the implementation has been far from it, with numerous businesses reporting problems from start to finish, and that needs to be addressed urgently.

Rachael Maskell: Does my hon. Friend recognise that the retail sector suffers from offshore landlords charging exorbitant prices for property, forcing businesses off our high streets?

Rebecca Long Bailey: I referred earlier to the commercial retail property market, and the Government must recognise that they have to work collaboratively across the sector and with landlords to enable tenants to secure fair tenancies. In the current climate, many tenancies are unfair to retailers, forcing many of them over the edge. Offshore landlords are a significant issue that we have discussed at length in this Parliament.

That completes my whistle-stop tour of many of the issues the sector faces, and I hope that my comments have been helpful to the Business Secretary. He knows that retail is our largest industrial sector. It has the power not only to transform our economy, but to transform our communities, providing high streets and towns with the services and consumer choice that Britain deserves.

When I was little, my Uncle Ray was a butcher. He was proud of having his own business and the family were proud of him. However, he was not just proud of being an entrepreneur; he was proud of the services that he provided to his local community and to the people who came into his shop every single day. In all my life, I have never seen such profound change in the retail sector, and the alarm bells are ringing loud and clear. How many more Uncle Raymonds are there who want to start their own business but are frightened to do so in the current climate? How many more Uncle Raymonds are out there who are in business but are frightened of going bust due to the hostile environment they face? Once our high street is gone, it will be gone forever, and the basic lifeblood of an entrepreneurial nation from high street grocers and hairdressers all the way through to department stores will be in tatters. I urge the Business Secretary to act now before it is too late.

1.37 pm

The Secretary of State for Business, Energy and Industrial Strategy (Greg Clark): To answer the question from the hon. Member for Salford and Eccles (Rebecca Long Bailey) about people emulating her Uncle Ray, 1,100 new businesses are being created in this country every day of the year—record levels. We are seeing a resurgence of entrepreneurship right across the country, which she will welcome.

I am delighted that we have the chance to talk about the retail sector, which, as the hon. Lady recognised, is vital to every one of our constituencies. The character and identity of all the towns, villages and cities that we represent are defined by the shops, stores, cafés, restaurants and pubs, which make up the most important places in our settlements. Whether independently owned or part of a chain, and whether large or small, they play a vital role. As constituency MPs, we all do everything we can to promote and boost them. Things such as Small Business Saturday engage all Members on both sides of the House to promote the importance of retail.

More people are employed in retailing than in any other single industry in the country. Britain has long had a deserved reputation for being a retail environment of intense competition and innovation and for outstripping other countries in terms of the keenness of prices, the choice and range of products, and the pace of new offerings to consumers to meet their changing needs.

Any of us who has visited other countries, whether in continental Europe or the US, to take a couple of examples, will have noticed how comparatively advanced and well served our consumers are in this country. Already in this debate we have heard from many people who grew up with a retail background, which is not surprising given the sector’s importance. I make my own disclosure that my father was a retail milkman. My first job was delivering milk in the mornings as part of a small family business. My mother worked at the local Sainsbury’s. Such backgrounds are common among Members on both sides of the House. We all have friends, family and many constituents who owe their life and livelihood to the retail sector.

The hon. Member for Salford and Eccles accurately describes the period of change the retail sector is experiencing. She is right to do so. As she says, in recent years, several familiar household names have disappeared from our high streets: Woolworths in 2009 and, more recently, Toys R Us and Maplin. Each and every case is a blow to the staff who work in those stores and, of course, to the customers. But we all know this is by no means new in British retailing. Each of the names I have mentioned was a disrupter and an insurgent in its day. Woolworths, for example, came as an American giant offering open shelves for consumers to serve themselves, rather than having to wait behind a counter, which was revolutionary and a major challenge to the prevailing model.

British Home Stores, much in the news in recent years, provided a one-stop shop containing everything under one roof, from light fittings to clothing and food. Again, that was a big disruption to the norm. The hon. Lady mentions Toys R Us. I am old enough to remember the dismay experienced by some traditional high street toy stores when out-of-town warehouses, including Toys R Us, entered the market. Those warehouses became familiar and many of us have bought toys for our children there. There is a story of constant change in the retail sector.

Paul Blomfield (Sheffield Central) (Lab): The retail sector in the centre of Sheffield has been greatly strengthened by the establishment of a business improvement district. The Secretary of State will know that, outside London, the only model for business improvement districts is an occupier or a ratepayer BID, whereas London can have property owner BIDs. After lengthy consultation by the Government, there were proposals in last year’s Local Government Finance Bill to roll out the opportunity of property owner BIDs across the country, which was widely welcomed in the north of England. The Bill was lost in the wash-up. Do the Government have any plans to renew that proposal to enable property owner BIDs across the UK?
Greg Clark: I agree with the hon. Gentleman on the positive effect of BIDs. When I was a local councillor in London, I witnessed the benefits of the business improvement districts in the capital. The Local Government Finance Bill was a victim of the wash-up and I will raise the point with my colleagues to see where we are on further plans.

We have experienced constant change in the retail sector and, of course, at the moment we are experiencing an online revolution. We previously experienced the supermarket revolution and, again, I remember well my father’s milk rounds shrinking as supermarkets routinely began to sell fresh milk at a fraction of what the roundsmen charged.

There was never a time when the high street did not change and did not see the disappearance of brands that were regarded as anchors at the time. The hon. Member for Salford and Eccles is remiss in not stating the context of constant change. We all remember many examples of presences on the high street, going back many years, that are no longer there.

The evidence shows that British retail is transforming but is still vigorous. Following the hon. Lady’s speech, Members would be forgiven for imagining that retail employment is in a state of meltdown.

Justin Tomlinson: I echo my right hon. Friend because the hostility shown by the shadow Minister towards retail does not reflect the reality. Productivity grew by 4% in 2017, as reported by the British Retail Consortium. That is the reality.

Greg Clark: My hon. Friend is right. We all want to celebrate the success of retail in Britain and we all want to do what we can to further advantage it. In fact, the number of people employed in retail in the UK has grown substantially over the past 20 years, from around 2.8 million in 1996 to 3.1 million in the last full year for which figures are available, an increase of nearly 300,000 jobs.

Helen Goodman (Bishop Auckland) (Lab): When I went to talk to my local jobcentre, it complained about the way the supermarkets treat their workers. My local jobcentre says it is grossly unfair and unreasonable to give people short 12-hour or eight-hour contracts. Is the Secretary of State confident that the increase in the number of jobs is an increase in full-time equivalent jobs, or is it just chopping up jobs that would previously have had a reasonable number of hours?

Greg Clark: The hon. Lady raises an interesting question. She will be interested to know that the trend over the period is towards more full-time jobs taking the strain from part-time jobs. The hon. Member for Salford and Eccles mentioned that part-time employment is valued by many people in the retail sector, but a higher proportion of jobs in the retail sector are now full time than in 1996.

Siobhain McDonagh (Mitcham and Morden) (Lab): Would the Secretary of State care to comment on a practice I see weekly at my advice surgery? Large numbers of my constituents, particularly among the Tamil community, are working 18 hours a week at Tesco precisely so that Tesco does not have to pay employer’s national insurance contributions.

Greg Clark: I was not aware of that, and my colleagues and I would be happy to meet the hon. Lady to discuss her example.

It is not the case that in recent years we have experienced a collapse in employment—rather the reverse. The trend has been towards increasing and, more recently, more stable employment. We are seeing more full-time work, rather than part-time work, in the mix. Nor is it the case that more retailers are failing. The hon. Member for Salford and Eccles correctly mentioned some recent examples of retailers that have gone out of business, but it has always been the case that some retailers have failed and been replaced by others.

Rachel Maclean: Of course I regret that Marks & Spencer is pulling out of Redditch, but is it not the case that the consumer is the ultimate beneficiary when we see change in the sector? Consumers get new products, better prices and different things and new experiences they would not necessarily have had previously. That is what an entrepreneurial economy supported by this Government does.

Greg Clark: I agree. We want to make sure that our retail sector is dynamic and provides value and choice for consumers, as well as good career opportunities for members of staff.

Melanie Onn: The Secretary of State says that retailers are not failing, but the empty shops in Grimsby town centre tell my constituents something very different. Will he comment on that?

Greg Clark: Across the country, from time to time, businesses will close. I am familiar with Grimsby, as the hon. Lady knows, and one of the actions we are taking, which I know she will support, is to have a town deal with Grimsby to make sure that we maximise the advantages locally. Freeman Street in Grimsby shows this phenomenon has been happening not just over the past 12 or 24 months; there has been a long-term change. Local dedication, based on knowledge of the local environment, is required to have the best prospects for a revival.

Kevin Foster (Torbay) (Con): The Secretary of State rightly refers to the fact that towns have to look at change. Does he agree that in many cases it will be for local authorities to examine what the needs of a modern town centre are as a destination, rather than at what its needs were in the 1950s and 1960s, in a very different retail era?

Greg Clark: My hon. Friend is exactly right about that. Of course many of our towns acquired shopping centres and shopping malls to make them more attractive at that time, which again was a big change. There is constant change in what the offer and draw of town centres is, and local authorities are very active in thinking about how they can make their places as attractive as they can.

According to the latest market data for the last five years, covering the period from 2013 to the end of 2017, 191 retailers in this country have gone into administration. That compares with the 202 that did so in the five years before, so we have not had the sudden collapse that the hon. Member for Salford and Eccles was hinting at.
During the last five years, the number of stores affected by those failures was 7,429, compared with 19,639 in the previous five years. So it is very important that we do not paint a picture of British retail undergoing some sort of experience that has never happened before; we need to make sure that its dynamism results in positive outcomes and not regard this as completely out of the ordinary.

The hon. Lady cited examples of closures and, as I said, they are hugely hurtful and worrying for everyone caught up in them. However, she conspicuously failed to mention the other side of the equation. If she reads Retail Week in any given week, she will see example after example of stores that are opening and of companies that are expanding. She could have mentioned that just in January the Co-op committed that it will open 100 new stores during 2018, creating 1,600 jobs. Lidl is investing £1.45 billion in expanding its UK presence, and Aldi is now the fifth biggest retailer in the UK and it aims to have 1,000 stores by 2020. Lest anyone think that discount retail means discount wages, Aldi has pledged to become the UK’s highest-paying supermarket by 2020.

Our tastes and habits are changing. Home delivery from stores was once considered a relic of pre-war and immediately post-war times, but now it is increasingly standard for all the big supermarkets; Ocado has recently joined the FTSE 100 on the back of its growth. We have more and better choice through online retail than ever before, as colleagues have said. ASOS is now the UK’s largest clothing retailer by market valuation, and this was one of the reasons we commissioned the Matthew Taylor report, to which the hon. Member for Salford and Eccles referred. Knowing that employment patterns are changing and that different types of businesses are entering the market, it is right to consider what regulatory requirements we need in this new world to maintain the high standards we have insisted on in this country. That is the type of preparation—the strategic anticipation of what is required—that we are engaged in.

I applaud the way in which, in this time of adjustment, to prepare for the future, the retail sector is coming together, with its players working jointly. It has always been a rather fragmented sector, but in recent months we have seen a real sense of purpose in its coming together to work jointly with the Government and with local councils, as my hon. Friend the Member for Torbay (Kevin Foster) said, to address the challenges it has faced.

Ben Bradley (Mansfield) (Con): Does my right hon. Friend agree that, as well as working at a national level to recognise the changes needed in our high streets, it is important that local councils work with local businesses to put in place a plan and vision for what the town centre needs to look like in future?

Greg Clark: The hon. Lady makes an excellent point, and this was one of the reasons we commissioned the Matthew Taylor report, to which the hon. Member for Salford and Eccles referred. Knowing that employment patterns are changing and that different types of businesses are entering the market, it is right to consider what regulatory requirements we need in this new world to maintain the high standards we have insisted on in this country. That is the type of preparation—the strategic anticipation of what is required—that we are engaged in.

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Greg Clark: My hon. Friend is right about that. The hon. Member for Salford and Eccles referred to local industrial strategies. The reason they are part of the industrial strategy is that the vision we have set out, informed by local councils, local leaders and retailers, is that that local dimension and knowledge, as I mentioned to the hon. Member for Great Grimsby (Melanie Onn), is vital in ensuring we have prosperity. So the sector was a major contributor to the development of our industrial strategy.

One commitment we made was to establish the Retail Sector Council, so that firms, large and small, can work effectively with each other and policy makers, emulating the successful model that the Automotive Council UK and the Aerospace Growth Partnership have established, with which Members are familiar. The RSC is chaired jointly by the Under-Secretary of State for Business, Energy and Industrial Strategy, my hon. Friend the Member for Burton (Andrew Griffiths), and Richard Pennycook, who, as many Members will know, is the former chief executive of the Co-op and one of our most respected retailers.

The RSC is bringing the sector together to work with Government and local councils, making recommendations on the areas of challenge that have come up already in today’s debate. Those include business rates, where the Government have made a clear commitment to make sure that the system is up to date for a world in which people increasingly shop online. Of course, that builds on the commitment we have made to wider business rates reforms and on the relief that has been given...
following the recent revaluation. That stands in stark contrast with the record of the Labour party, which doubled the average business rates bill during its time in office. We are protecting the small businesses in this country from its increase.

**Rachael Maskell:** Will the Secretary of State provide some more detail about how the Government are going to reform business rates, because we know the retail sector is crying out for reform of the system and he has not set out any details? I would really appreciate those now.

**Greg Clark:** I do not want to incur the wrath of my fierce hon. Friend, the Member for Stirling (Stephen Kerr), by speaking for too long, but there will be opportunities to do that. The Under-Secretary of State for Business, Energy and Industrial Strategy, my hon. Friend the Member for Burton, will be responding to the debate. The Retail Sector Council has that as part of its remit and objectives. A review is taking place with the Treasury of precisely those matters. Of course that is so because this is one of the big challenges that stores with a high street presence face. The context of competition from online retailers is fundamental to that.

A major concern of the industry, through the new sector council, and of this Government, through the industrial strategy, is to drive higher levels of productivity and earnings for workers in the sector. There are huge opportunities to do both. The hon. Member for Salford and Eccles does a disservice to this very innovative sector and the people who work in it when she portrays it as some sort of backwater of uniform low productivity—it is far from that. In fact, in the past 20 years in the retail sector, output per hour has doubled; it has increased faster than the economy as a whole. Productivity in UK retailing is one of the highest of major European nations and one of the most rapidly growing. Pay in retail is increasing, responding to the recruitment pressures that come from the fact that unemployment is now at its lowest level for 40 years. That has been bolstered by the introduction of the national living wage, which has had a particularly beneficial impact on employees in the retail sector.

As I have said, we want to secure improvements in the quality of working life that employees in the sector experience, which is why the Matthew Taylor report with its emphasis on good work is of such vital relevance to this sector.

Retail is already at the cutting edge of much of the innovation and new technology that we see. Our industrial strategy, with its major investment—the biggest increase in investment in research and development that we have seen as a country—is full of opportunities for further innovation. Through our industrial strategy challenge fund and grand challenges such as on artificial intelligence, this is a sector that will play a big part in that. Part of the reason for the creation of the Retail Sector Council is to enable the sector to do so.

The British retail sector is renowned as one of the most competitive and innovative in the world. It employs millions of people, and will continue to do so, in good jobs in every part of the United Kingdom. We recognise and embrace the challenge of responding to the changes that are taking place in retailing not just in this country, but across the world. We are investing in technology, investing in skills, ensuring that people can have satisfying and prosperous careers to look forward to in retail, and responding to the consequences of changing consumer preferences and the implications that that has for the future of the high street.

Those are the areas on which we will work in close partnership with the sector. Together we will ensure that, more than ever, retailing is something that is, in its quality, in the price that it offers to consumers and in the choice and innovation that it brings in, one of our world-leading sectors of the economy.

2.2 pm

**Drew Hendry** (Inverness, Nairn, Badenoch and Strathspey) (SNP): It is always a genuine pleasure to follow the shadow Secretary of State and, indeed, the Secretary of State in these debates, particularly when they are on very important subjects such as retail that go right to the heart of the town, cities and communities. As a former retailer myself, I should like to start by paying tribute to those sore-footed legions who go home every night having served us in their shops and stores. They perform an absolutely vital function, and that should not go without being underlined today and I mean to do that during my contribution.

Retailers always try to create the conditions to attract customers. The environment that they work in and that they present to consumers is extremely important for them. They will spend a long time working out whether they should concentrate on high-density product placement, low-density product placement, special offers and the placing of those offers. They know that the environment in which people shop is extraordinarily important to them. They approach that in a range of different ways. I do not want to major on the actual high street itself, but I do want to focus on it, because it is something that has perhaps glossed over by the Secretary of State today.

The success of retail depends on the wider economic environment—or the context, as the Secretary of State called it earlier. That is why the unrelenting situation that we have over austerity causes so much difficulty for high street retailers, and retailers in general. Store closures, such as the ones announced by Marks & Spencer, are just another indictment of what happens when these policies are brought forward, and they drive consumers away from the high streets. If people do not have a disposable income, they are not able to go and spend in the shops.

The Scottish Government continue to support the Scottish retail business, especially the crucial small business retail sector, with initiatives such as the small business bonus, and I will return to that matter shortly.

**Ged Killen:** The hon. Gentleman is talking about the Scottish Government’s assistance for small businesses. In my area, three businesses have had to close as a result of the treatment they have received from landlords, the most recent being The Big Coffee Cup. Does he not think that it is regrettable in Scotland that there is no statutory or common law right for a commercial lease to be renewed? These businesses were told that they had to close because their lease was not going to be renewed.
Drew Hendry: I would love to give the hon. Gentleman a direct answer, but I have not come across that situation myself. I will happily look into it. I will not come here and make up something that I do not know anything about, so I will look into the lease issue for him.

I will come back to what the Scottish Government are doing in Scotland later in my speech. In tough times, the last thing that retailers need is for costs to rise. When prices go up, the number of customers goes down. It is a natural cause and effect. The biggest current risk to the Scottish economy and the retail sector comes from the hard Brexit that is on the table now from this Tory Government. We still do not know what the Labour position is. [ Interruption. ] Well, we still do not know what the Labour position is on a hard Brexit. Hopefully, we will find out soon.

Stephen Kerr rose—

Drew Hendry: Oh, Madam Deputy Speaker, have I ever refused the hon. Member for Stirling (Stephen Kerr)?

Stephen Kerr: And the hon. Gentleman maintains his record of giving way, so I thank him. He says that the biggest threat to the retail sector in Scotland is a hard Brexit, which is, I am afraid to say, all too predictable from the Scottish National party spokesman. That is not what the director of the Scottish Retail Consortium, David Lonsdale, says. He says that the devolved Administration’s increase in surcharges and business rates inflexibility have served to make it more expensive to operate shops in our town centres. We cannot go to a higher authority than the Scottish Retail Consortium to describe what is wrong with Scottish retail.

Drew Hendry: Of course, if the hon. Gentleman wants to trade in higher authorities, let us see if we can find one. Let us go to the Governor of the Bank of England, Mark Carney, who says that a hard Brexit will cost each family £900 per year—a reduction in income that people simply cannot afford and that will not aid anyone, especially retailers. Let us go to the Office for Budget Responsibility, which says that lower economic growth is predicted in each of the next five years—lower than the 1.7% in 2017.

The single market and the customs union remain vital for Scotland’s economy. It is a Herculean task to find a business person or a business organisation in Scotland that does not agree with that. Hard Brexit not only threatens the cost outlined by Mark Carney and others, but, according to the SPIE 2 report, means that costs will reach £2,300 per person per year compared with the remaining in the EU. Report after report highlights the economic folly of the hard Brexit approach. All of that sucks up disposable income—the lifeblood of the high streets.

Let me return now to austerity and its effect on retail. Austerity is a choice. Dealing with a deficit can be done by encouraging growth, not by austerity. Between now and 2022-23, the Scottish Government modelling suggests that the Chancellor could provide an additional investment in Scotland of around £5 billion while still meeting the UK Government’s targets on structural deficit and debt reduction. These policies disproportionately affect the least well-off—the very people who spend more of their income in local shops. On welfare cuts, the Resolution Foundation states:

“The coming year (2018-19) is set to be the second biggest single year of welfare cuts... (after 2012-13) at £2.5bn.”

Having been in a pilot area for universal credit for more than five years now, I can testify to the effects that it has had on the local economy by draining the ability for people to spend in their local shops. The people of Inverness in my constituency are all too aware of these consequences.

Of course, there is another effect that is likely to cause great problems and to be a damaging issue for retail. Retail needs people—to buy and to sell. The unique selling point of being in retail, particularly high street retail, is that customers can speak to staff and staff can show customers products. The Government’s proposed approach to immigration could mean that real-terms GDP in Scotland is 9.3% lower by 2040. That affects tax and employment not just for shops and businesses, but also for public services.

Over the decade to 2019-20, Scottish Government funding has been cut by £2.7 billion, which is 8.4% in real terms. The Scottish Government will only receive 2.5% or £37 million of the £1.5 billion funding for Brexit preparations allocated in 2018, so when we look at support for business, it is against a background of lower funding. The Scottish Government’s recent budget set out how reforms of the business rates, for example, will ensure that Scotland provides the best possible environment for business. Rates relief for small business in Scotland is more competitive than in England. We provide the most competitive reliefs package in the UK, worth a record £720 million—up from £660 million in 2017-18. From 2018, we will introduce a business growth accelerator that will see no bill rise for 12 months as a result of improvements or expansion of existing business property. It will also ensure that no rates are paid on new builds for a year when they are entered into the valuation roll.

Earlier I mentioned the small business bonus scheme, which was protected in the 2018-19 Scottish Government budget and has saved businesses almost £1.5 billion cumulatively since it was introduced in 2008. The scheme has provided record relief to almost 104,000 recipients over the past year. The estimated total relief under the scheme, which removes or reduces rates bills, rose to £230 million—an increase of £43 million from £187 million last year. This amounts to an average saving per property of £2,000. The maximum savings that a business can achieve through the scheme will increase next year from £6,990 to £7,200 a year. That is a record level of small business support. Andy Willox, the Scottish policy convener for the Federation of Small Businesses, said:

“Without this rates help, Scottish firms tell us they would scale back investment, and their plans for growth. This vital scheme forms the centrepiece of the Scottish Government’s package of help for smaller firms.”

The Secretary of State rightly talked about the need to diversify in retail, and we have to ensure that we take that factor into account. As he rightly said, most successful businesses are able to adapt and change with the circumstances they face and the opportunities that arise. Many successful retailers—small and large—have adopted online platforms alongside their traditional face-to-face retail. In fact, they are finding that a double benefit: not
only can people find and access their products, but they also know somewhere where they can go and get direct advice about those products. It is of course important to set the environment to ensure that that can work properly.

Although the Scottish Government have committed extending superfast broadband access of 30 megabits per second to Scotland by the end of 2021, the UK Government really have to up their act and understand that 10 megabits is not good enough for the rural parts of Britain that are not covered by the Scottish Government’s actions. The UK Government appear intent on cutting Scottish consumers out of the broadband universal service obligation completely, despite the fact that they are being asked to pay for it alongside consumers in other parts of the UK. In Scotland, we are investing £600 million through the first phase of our Reaching 100%, or R100, programme to achieve our goal of superfast broadband access for all. Procurement is under way and deployment will begin during 2019. Even though telecoms is reserved to Westminster, the UK Government’s contribution to R100 is just £21 million—only 3% of the total.

Figures provided by thinkbroadband show that the UK Government have met their target of 95% superfast broadband coverage, at the UK definition of 24 megabits and above. But, in fact, using the same data used by the UK Government and our own internal data, we have confirmed that we exceeded our target of 95% fibre broadband coverage across Scotland by the end of 2017. Our Scottish 4G infill programme aims to push 4G coverage beyond commercial roll-out by investing up to £25 million of public funding to deliver future-proofed 4G mobile infrastructure to help selected mobile notspots.

I agree with the Secretary of State that the quality of people’s working lives must be enhanced, and I join him in paying tribute to Aldi for making a commitment to being the highest paying supermarket. For too long retail sector wages have been too low for too many people. As I said in my opening remarks, working in retail is a rewarding job, but it is also challenging. Retail’s future workforce and customers are obviously going to come from the ranks of young people, so I will make the kind request that has been made eloquently in this Chamber by many other Members, for the UK Government to start to understand that they need to reward young workers, not punish them.

Research from the Scottish Parliament’s information centre shows that workers under the age of 18 would earn roughly £6,500 less than people who are over 25. The research further highlighted that 18 to 20-year-olds would find themselves £3,705 worse off—and apprentices £7,605 worse off—compared to workers over the age of 25. If the UK Government seriously want to reward hard workers, as they so frequently say they do, will they listen to the SNP’s demand and retract this deeply discriminatory decision that punishes workers solely for being young? It is a missed opportunity to provide economic empowerment to young people from lower socioeconomic demographics.

The SNP would encourage every employer to reward their staff fairly and, where possible, to pay the real living wage. Many of the most successful retailers, such as Aldi, are already committed to doing the best for their staff, and that is the right thing to do. The new national living wage rate of £7.83 an hour for over-25s came into effect on 1 April 2018, but the national living wage refers to average earnings, not living costs, and is therefore not a real living wage. The living wage differs in that it is calculated according to the basic cost of living, and therefore takes account of the adequacy of household incomes for achieving an acceptable minimum living standard. Incidentally, the Scottish Government were the first Government in the UK to become an accredited real living wage employer. Our young workforce and consumers—the very people who need to get into the habit of using retail and finding ways to stimulate the economy, and the people who will be paying taxes to support pensions into the future—must be included in a fair strategy.

To conclude, I ask Ministers—[Interjection.] I am getting some warm applause from the Tory Benches. How delighted I am to always find a few extra words to thank them for their attention during these exchanges! Will Ministers copy what has been working in Scotland with the small business bonus? Will they look at adjusting the rates system in that way? Will they finally listen to the endless stream of businesses and business organisations that have come forward to point out the perils of a hard Brexit direction? Will they listen to the people affected by the universal credit roll-out? This all cumulatively affects the future of retail and the ability of people to operate on the high street. It is time to help the whole of the economy. Listening to these points would definitely hit that mark. It is well past time to do the dogmatic approach to austerity.

Several hon. Members rose—

Madam Deputy Speaker (Mrs Eleanor Laing): I hope that in a good-natured debate of this kind, we can get through the afternoon without a formal time limit. This is always an experiment, but I am going to ask hon. Members please not to exceed seven minutes in their speeches. If they do, then all they are doing is squeezing the time for someone else to take part in the debate. Of course I appreciate that some Members do not want other Members to have a say, but I want everyone to have an equal go at their arguments. Therefore, if seven minutes is exceeded, I will have to put on a formal time limit. I call Derek Thomas.

Derek Thomas (St Ives) (Con): Thank you, Madam Deputy Speaker. I will reduce my speech to 40 pages now that you have said that.

In counties such as Cornwall, the retail sector is a significant contributor to the local economy, so I welcome the opportunity to discuss it. I am glad that the Secretary of State is still in his place, as it is really good to be able to speak directly to him. Most employees in Cornwall work in small and medium-sized businesses. A significant number of those are in retail, and many are on our high streets. High streets are the lifeblood of our communities in Cornwall—particularly west Cornwall and the constituency I represent.

The health of the high street is dependent on those small, independent retail outlets. They are made up of entrepreneurs who have often taken a risk in sinking their life savings into them, and who get up day after day to keep up an offer both to residents and visitors. Despite all their hard work and good efforts, they find staying open very difficult. They have had to contend
[Derek Thomas]

with the living wage. I welcome, and they welcome, the living wage, but it is a significant challenge to them. Many have reduced their opening hours just to keep control of their staff costs. There is also auto-enrolment.

We have seen a significant rise in online shopping and a dramatic growth in out-of-town stores. In Penzance, just before Christmas, a new out-of-town store opened. I have spoken to businesses there who have seen a 40% drop in their business just since Christmas. There have been huge hikes in car-parking charges. Furthermore, I do not want to discourage Members from coming to Cornwall, but the roads are under par at the moment. We are working hard to improve connectivity on the roads. The weather can have an impact on whether people choose to go to the beach or to shop. These entrepreneurs, who are doing all they can, face all sorts of challenges that they have no control over. Those challenges are well documented and well rehearsed. I recognise that many of them, particularly planning and car parking, are matters for the local authority. We are working hard to see it rise to the challenge and to give opportunity rather than restrictions to our local businesses.

However, what the Government can and must do is address the issue of business rates. I recognise that for some time, even before I was elected, various measures have been introduced to address the difficulties that small businesses face with regard to business rates. I believe that nowadays business rates are indefensible. It is an outdated tax that reflects a business building rather than the business itself and causes significant harm, particularly to the high street. In my constituency, for lots of small businesses out of town in rural areas, business rate relief and various exemptions have been fantastic, and that is welcome. However, some businesses in the high street have seen extraordinary increases, particularly since 2016, and that has been extremely painful and uncomfortable for them.

In the three main towns in my constituency—Helston, St Ives and Penzance—I have been working with a number of businesses that tell me they will go out of business if we do not do something quickly. An independent business owner in Helston moved across the road in order to increase the size of her business, but even though her shop is smaller than her next-door neighbour’s and smaller than the shops opposite, which are both multiples, the business rates she pays are significantly higher. In Penzance, we have a new retailer who started his business after Christmas. He had no business rates charged whatsoever and was not expecting a charge, but in April he was stung with a new bill of thousands of pounds a year, unexpected and unplanned for. We are currently trying to discover why this has been the case.

In St Ives, we have seen the rate re-evaluation, high rents often charged by absent landlords, and a quick rotation of businesses that come into town thinking that St Ives is the place to be in business and will pay whatever rent is asked for. For several stores, that has led to year-on-year increases since 2016. Despite the voluntary support available from the local authority, they have not benefited. We have done all we can. We have had meetings with the Valuation Office Agency. We have done the checking challenge. We have met Treasury Ministers several times and raised individual cases. However, while Ministers are still engaged and helpful, at the moment we see no way forward.

For businesses under such pressure, the various things that the Government have done are helpful. However, I compare the situation with that of someone who has their hand in a bench vice. It is not helpful for the Government to say to them, “We will slow down the number of turns and how quickly we turn the bench vice so that the pain is not so great. We will just do half a turn a day, maybe.” What we actually need the Government to do is to remove the hand from the bench vice altogether.

I have three urgent requests—and they are really urgent. First, we must halt the increases above the consumer prices index that businesses in my constituency are facing. These increases are significant. They are introduced every year because of the re-evaluation. They are harmful and unacceptable, and I would like them to be frozen.

Secondly, I would like a discussion on—with perhaps legislation moved forward quickly—a measure to allow town councils to retain just 1% or 2% of the business rates collected in their area to support the high streets and build healthy and vibrant town centres. People would be able to go into town, park more cheaply and enjoy the public dwelling space, because the town council would have the resources to invest in the town. As devolution has come to Cornwall Council, the money has stopped there. Devolution of sorts has gone down to town and parish councils, but money has not followed, and so they are continually strapped for cash and unable to help with the problems on the high streets. We do not have business improvement districts in any of the towns I am talking about. Helston would be a great place for a pilot scheme for the town council to keep 1% or 2% of business rates. That would give it a couple of hundred thousand pounds a year to really turn around the town centre, which has been under pressure for many years. Given the population around Helston—42,000 people—we could turn the town around. I am working with it doing what I can.

Finally, I would like the Government—if they did this, they would earn themselves enormous brownie points within small businesses up and down the country—to commit to scrapping business rates altogether. I know that they need to continue to raise the £24 billion they collect from property-based taxes. However, that money could be collected through some form of transaction tax that would be based on the activity of the business rather than the location and size of the building it occupies. It would also be a fair tax, because it would tax equally high street businesses, out-of-town stores and online businesses simply on the business they do, not on the building they occupy.

2.29 pm

Liz Twist (Blaydon) (Lab): I am really pleased to have the opportunity to speak in this debate on the retail sector because it is hugely important to my constituency, where 23%—nearly a quarter—of jobs are in retail. That is 8,000 jobs and the highest percentage of retail jobs in any constituency across Great Britain. It is vital for my constituency and many others that we have a thriving retail sector, from the small high street traders such as Les Thompson, who sells loose fresh fruit and vegetables—not wrapped in plastic, I note—on the main road in my hometown of Ryton, to major retail centres such as the intu Metrocentre, which is still the largest retail shopping centre and houses national chains as well as smaller retailers.
Blaydon is made up of many small towns such as Birtley in the east, through to Whickham, Winlaton, Dunston Hill, Cramcrook, Chopwell, Rowlands Gill, Ryton and of course the town of Blaydon itself, where the shopping centre has recently been reinvigorated. All those centres provide valuable jobs and facilities and help to make our local communities vibrant places where people want to live and can access the essentials, and sometimes the extras, of life. The challenges that they face vary. Les and many other small shopkeepers like him face the problem of our small towns emptying during the day, as people commute to work and shop elsewhere. They need support to ensure that our small towns retain a vibrant high street and local facilities, especially since many of our banks have closed local branches and there is a reduced footfall. The large retail centres like the Metrocentre, where many of the retail sector jobs are located, face different challenges.

I want to support our retailers right across Blaydon. I am doing what I can locally, working with them and Gateshead Council, but we need a bigger plan and a strategy for supporting the retail sector across the UK. Retail is our largest industrial sector, but the Government’s industrial strategy hardly touches on how we can develop and support that sector in what is currently a very challenging environment for most of them.

Let me turn to those challenges. Many retailers tell me that the business rates system, which has been mentioned, is a massive challenge. All but the smallest, like Les, who are below the small business threshold, are facing big increases in business rates. The revised valuations for many mean a big increase at the same time as they face challenges from online retailers, which do not have the same shop fronts and so face much lower business rates. Of course, the huge growth in internet shopping is one of the other challenges, with many of us even looking at goods in store but then shopping online to find the best price. I am as guilty of that as anyone else, but we need to think about the implications.

Like many other industrial sectors, the uncertainty and fears about Brexit and the impact on trading and bringing in overseas retailers to our towns and shopping centres are having a huge impact on the retail sector. My hon. Friend the Member for Stretford and Urmston (Kate Green) referred to evidence from research conducted on behalf of intu on that very issue.

We know that there have already been many job losses in the retail sector. In April, the Press Association revealed that 21,413 retail staff had already been made redundant or had their role threatened, the bulk of them at established high street chains, in just the first three months of 2018. Many of those retailers are present in my constituency. Last month I visited staff at Toys R Us at the Metro retail park. I met some staff who had been working there for more than 20 years. They felt that they had been left adrift without information about what would happen to them and their entitlements and what they should do as their shop and the business closed down. Their shop was performing well, but as in so many cases, big finance issues and management decisions far away—literally—from the shop floor led to them losing their jobs. I am pleased to say that the local retail community pulled together, and many of them were able to find new jobs, but it did not do away with that sense of uncertainty and neglect.

In the House, we often rightly highlight high-profile manufacturing job losses, but it is just as important for us to note the loss of jobs in the retail sector and to remember that these are important people and our constituents who need our support and help. We need to pay our retail sector much more attention than it currently receives, as it is a vital sector for our economy.

Lee Rowley (North East Derbyshire) (Con): I appreciate and understand the point that the hon. Lady is making, but does she also acknowledge that there has been significant job growth in the last few years, particularly in areas such as logistics, handling and shipping, which should be celebrated?

Liz Twist: I recognise what the hon. Gentleman says. There are jobs in different areas, but that does not take away from the fact that we need these jobs as well as all those others in the sector.

As I said, the Government’s industrial strategy barely mentions the retail sector, with only three mentions in 256 pages of our largest industrial sector, which provides 15% of our jobs nationally and 23% of jobs in my constituency. The Government need to pay much more attention to this issue. They need to bring forward a sector deal for retail to ensure that it is given the emphasis it needs, and they must look again at the business rates system.

In raising these issues, I do not excuse the parts of the retail sector that have failed to manage their own affairs and businesses well. It is vital that the sector looks to act responsibly and manage its finances in a way that allows businesses to meet the challenges and to avoid more situations such as the recent collapse of BHS, Toys R Us and others, where financial issues seem more important than selling goods well. The sector has a responsibility to its staff and to our constituents who work hard in these stores but pay the price in job losses.

I cannot end this speech without mentioning the staff who work in our shops across the retail sector. Many of the 8,000 retail workers in my constituency face low pay and zero or uncertain hours, and many of them are women. If we want to strengthen productivity in the retail sector, we must address the question of low pay. Frankly, it is no good Ministers patting themselves on the back for jobs created when those jobs still leave people needing support from benefits, especially given all the problems with the universal credit roll-out in my constituency. That is a real problem. Any look at this sector must include a plan to put this situation right and to recognise the work that these people do and their need to live with decent wages and in decent conditions.

Since we are all making disclosures about our involvement in retail, I will put mine forward. My mum worked much of her working life in local shops, and my first involvement in representing people was in referring her and her colleagues’ case to the Wages Council, as it was then, because they were being underpaid. I am glad to say that we reached a satisfactory conclusion. That is my history in retail. Retail deserves our support and needs it now, so I urge the Government to take action immediately to strengthen the retail sector.

2.38 pm

Ben Bradley (Mansfield) (Con): It is a pleasure to follow the hon. Member for Blaydon (Liz Twist). As we are all sharing our retail experiences, I should declare my interest, as a former store assistant at Aldi—a fine and enjoyable job it was too.

Retail Sector

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I welcome the opportunity to discuss the retail sector and what the Government are doing to support business.

Some interesting points have been raised in the debate. The discussion about the future of business rates when these activities are increasingly online is particularly important. I want to focus on town centres and high streets, as many Members have.

Like most towns across the country, Mansfield’s and Warsop’s marketplaces and high streets have suffered from retail closures. That is happening right across the country, with the structural change in how people are shopping and what our town centres look like. Many people are shopping online or visiting out-of-town retail parks rather than visiting their local town centres. Mansfield has some great shops on the high street, from big names to cafés, bakeries, hairdressers, clothes shops and a fantastic vinyl record store that drags people in from miles around, but there are many empty units too. On Church Street, where my office is based, and around the corner on to White Hart Street, there are more empty properties than occupied ones, and there is clearly work to be done to deal with that.

Locally, I have been looking at ways to encourage consumers back into the town centre. One example is my recent campaign for two hours’ free parking in the town centre. Last month I submitted a petition signed by more than 2,000 local residents to Mansfield District Council. When parking is both an expense and a hassle, it puts people off visiting their high street, particularly when they can visit nearby retail outlets such as McArthurGlen or Meadowhall—they are very close by—where parking is free and things are more convenient. Having handed in the petition, I hope that the council will look at this closely. Whether it is about cost, accessibility, clearer signposting for parking or other aspects, this is an important factor.

It is unfair to criticise the Government for inaction or for not supporting the retail sector. In fact, if any party in this place is the champion of businesses and works hard to support small businesses, it is clearly the Conservative party. As the Secretary of State said, record numbers of new businesses are being created in this place. We have all talked about the growth in retail more generally, including the jobs—my hon. Friend the Member for North East Durham (Lee Rowley) pointed out that there are jobs in logistics—that are linked to online retail and to this sector.

Earlier this year, the Government launched the first industry-led retail sector council, which will meet regularly to discuss the challenges facing this sector. It will review how retailers might adapt to changing consumer behaviour and look at how we might embrace technology to improve customer service and productivity. Town teams are a great initiative, and as a local MP I am looking at how we might replicate and organise ourselves in such a way to boost our town centre.

In April, the Government switched business rates from RPI to CPI, a change which is worth £2.3 billion over the next five years in reduced business rates, including of course for many retailers. They have also committed to supporting business improvement districts. Locally, the Mansfield BID is working hard to support retail by bringing retailers together and discussing how the town should look, and to encourage people into the town centre. Mansfield BID is ably led by the fantastic Mr John Sankey and his fantastic team.

There are things that local MPs can do. I have already mentioned the free parking campaign and the locally organised town centre team, which includes local business. I am also working with Lloyds to support small and medium-sized businesses and charities by giving them digital skills to help with online marketing and boosting the customer base of high street shops. SMEs are at the heart of Mansfield’s local economy. Data from the last census shows that over 9,000 people in Mansfield work in wholesale and retail, making it a huge source of employment. It is the largest industrial sector both locally and across the country.

Although there are lots of scare stories about automation and technological change, it is important that we acknowledge the changing face of retail. We need to embrace this technology and look to the future in relation to how it can improve productivity and lead to upskilling jobs. The fourth industrial revolution, as it is often called, can be harnessed as a positive thing for retail. Technology can improve payment systems and provide support for businesses behind the scenes, such as in accountancy and payroll, thereby reducing the costs that are causing some of the challenges. Internet selling and online marketing can of course boost retailers and ensure that they can reach markets right across the UK and even further afield. Post-Brexit, the ability to do so in new and emerging markets around the world will be a real opportunity not just for high streets, but for the retail sector more generally.

As high streets and town centres evolve, it is important that the planning system develops to support the changing face of retail. This needs local councils to step up with a clear vision and plan for their high streets, and to use the tools at their disposal to deliver on it, while bringing retail and business into the discussion in order to drive footfall through our town centre. In the modern age, having a dentist or a solicitor’s office on the high street, along with cafés and restaurants, is as valuable as pure retail in that it drives footfall, fills empty shops and makes our towns into places to which people want to come. Those are businesses whose output cannot be put online—people must always physically visit them—but when we go to the dentist in the town centre, we might stop and have lunch or peruse the shops, boosting the town more generally.

I encourage the Government to consider the ways in which they can further help local councils with such plans to improve town centres. Regeneration is an important factor for the retail sector as a whole, and there are changes that could help, such as a local vision for delivering a change of use for properties. My most regular question in conversations with Mansfield District Council is: “What is your vision for the town centre? Where are we going to be in 10, 15 or 20 years?” I am not sure that we are yet clear about what exactly its plan is. On delivering such a vision, I have some idea of what I want it to look like. One of the challenges we face is adapting the physical space of town centres to fit this new market. We cannot rely on retail to fill every space in the way we once could; we need the flexibility to change things. Along with a local vision and local leadership, such flexibility needs some support.
One particular avenue that might be helpful—I hope this is a useful suggestion—is to consider the ways in which we could support local councils in relation to the compulsory purchase of buildings in town centres, where a positive plan has local approval. In Mansfield, a number of retail units on the edge of town are empty or dilapidated. I mentioned my office on Church Street, which is on the very edge of the town centre, and most of that area is made up of empty shops. The property values of these retail buildings have fallen, so many owners will not sell them or invest in them. They sit empty for years and years, but these sites are often ideal for development. They could be brought into use as new commercial or residential spaces, providing the small and more affordable properties that we need for local residents anyway. This would also move people into the town centre and boost footfall for other shops.

If the council was able to purchase such buildings and change their use, it would regenerate the edges of the town and help to fill units in the town centre. It would also bring properties that are often going to rack and ruin back into use, making the whole place more attractive and vibrant, and making it more of a place where people might be likely to come to and spend time. More and more, town centres should be a destination that we want to visit, as well as places for shopping.

For the many reasons I have laid out, I think the Government are working hard to support business generally and the retail sector, and it is important to note in all our comments that the retail sector is growing. The Conservative party is and always will be the champion for business, which drives our economy and creates jobs for my constituents. I hope Ministers will continue to be innovative and look across the board, including at my suggestion about compulsory purchase, at the ways in which we can continue to support local authorities and our small businesses in order to encourage the regeneration of our town centres.

Several hon. Members rose—

Madam Deputy Speaker (Mrs Eleanor Laing): Order. The hon. Gentleman did very well in keeping to his seven minutes, but I am now imposing a formal limit of seven minutes to make sure that everyone’s time is protected.

2.46 pm

Justin Madders (Ellesmere Port and Neston) (Lab): I will aim not to disappoint, Madam Deputy Speaker.

As the name of my constituency suggests, there are two main towns, Ellesmere Port and Neston, both of which have a retail offer that is dramatically less than it was five years ago. However, we still have over 6,000 people employed in the retail industry in the constituency. The reason for that is the very successful Cheshire Oaks centre within our bounds. It was an answer that the local authority came up with in response to the ravages of the 1980s, when we lost so much manufacturing industry and there was a real recognition that we needed to broaden our employment base. The leaders of the council, Fred Venables and Reg Chrimes, both saw this as an opportunity, and it has transformed our area to the extent that we get 9 million or 10 million visitors a year, many from overseas. It is an expanding area, and it would be remiss of me not to mention that that has created a lot of employment in the constituency.

At the same time, however, we have had real challenges in our towns of Ellesmere Port and Neston. They are different in many ways—they have different demographics, transport links and ownership issues—but both have suffered in recent years from the changes in the retail market that we have heard about today. Neston, in particular, has now lost all its banks. That has undoubtedly had an effect on the high street not just for customers, but for other businesses that use local banks. I must say that the banks that have shut down have paid only lip service to improving services. They have made some very bizarre suggestions about people going to banks in other towns to which there are no public transport connections, and they have since talked about shuttering down those branches as well.

We have also had transport issues, with real cuts to public bus services in recent times, which makes it difficult for people to get into the town. One particular example is of a shop owner working in Neston who is really concerned about the future of his business because he will not be able to get there if the bus service running from Ellesmere Port to Neston is stopped.

There have been some positives. In the Brook Street area, virtually all the shops were empty, but an organisation called Brightlife, which is funded through the lottery, managed to get a number of charities and good causes into those shops and brought back a bit of life to the area, which has made a real difference. Particularly innovative was the idea of moving the Little Actors into the jobcentre, which was an innovative way of finding new use for an old building. That is all temporary, however, because it is all based on lottery funding and is not a permanent solution.

In Ellesmere Port, we have a bigger challenge because it is a bigger area to deal with. A lot more retail units are in private ownership, and many of them are too large for what retailers are looking for now. A lot of the big names have gone, and they just have not been replaced. As the hon. Member for Mansfield (Ben Bradley) has said, we need to look at different ways to promote interest in town centre food and leisure and the night-time economy, but the question is: how do we do that? I am concerned that local authorities do not have the capacity they once had to meet those challenges. My local council is looking at the One Public Estate programme, which will bring together different parts of the public sector, which will hopefully consolidate some jobs in the town. However, in terms of ownership, capital and vision, we are some way behind on delivering a new town centre for the future, and the Government’s industrial strategy is lacking in that regard.

If we do not take much more seriously the regeneration of our town centres, the inequalities and imbalance between towns and cities over recent years will continue to accelerate, and the feeling that a lot of people in towns have of not being as important as other parts of the country will continue to solidify.

As has been said, online sales put pressure on the retail sector, and about 21,000 jobs have been lost in the sector already this year. I also think that automation plays a part in that. Personally, I will not use an automated checkout; I think that every time we do that, we push shop people’s jobs a little bit closer to the exit door. I have read that £3 billion a year is being lost to retailers through theft as a result of abuse of those machines, which makes me wonder about the incentive for companies
to install them. They cost retailers money, result in job losses and frustrate a lot of consumers. On a number of occasions, I have seen people having to call an assistant to get the machines to work properly. Perhaps it is the fact that the machines cannot join trade unions that makes them so attractive to companies.

Of course, I accept that companies have to do something to streamline their costs, because it is not a level playing field, as we have heard. Online retailers seem to have considerable advantages, not just in the way in which they are able to treat their staff but in how the business rates system works. I agree with the Secretary of State that town centres are an essential part of our character and identity. It is really important that we recognise that and that retail is only a part of it.

Certainly I have shown my commitment to my town centre in Ellesmere Port by placing my office there. The building had not been used for many years, but we got a grant to regenerate it and it is a signal of intent. That also shows that we have to look beyond the traditional retail offer to get life back into our high street. It has been under threat for many years, for myriad reasons. Retailers need to be given a fighting chance, but we cannot ignore the direction of travel in which online sales are leading us. We certainly cannot place all our eggs in the retail basket, so we have to reimagine and revitalise the town centre by offering something different and new to encourage people into it, not just to buy things but to experience things and to get back that sense of community for which I think most people yearn. In order to do that, we need to give local authorities the capacity, resources and authority to deliver, because austerity has put the skids under what they can do.

2.53 pm

Lee Rowley (North East Derbyshire) (Con): Thank you for the welcome opportunity to contribute to this important debate, Madam Deputy Speaker. I also welcome the Opposition using their time to discuss these ideas, although obviously I do not agree with a number of things in their motion.

As many Members on both sides of the House have said, the fundamental point is that the high street and the retail sector are changing. Things are being done differently. We have to recognise that that is not something that we in this place can or should control to the extent suggested by some during the debate. The market is ultimately a market of people. It is a market of our electorate. It is our children, parents, friends and next-door neighbours. When we depersonalise these discussions, suggesting that things are being done to businesses, we miss the point that fundamental changes are taking place on the high street.

Every single job loss is a tragedy. I understand the concerns about, and the challenges created by, people having to do things that they were not previously required to do. Ultimately, however, we have to recognise that big trends and big changes are taking place. Ten years ago, 2% of our purchases were online; that figure is now 18% and it is only going to get bigger. As I said when the hon. Member for Blaydon (Liz Twist) kind-hearted bothered me to intervene on her, although challenges are created by jobs lost as a result of changes to the high street, many jobs are being created in other industries.

It is a pleasure to follow the hon. Member for Ellesmere Port and Neston (Justin Madders). He is a doughty campaigner and he made his point loudly and clearly, but there was an inherent, slight conservatism—he will not like me saying that—to some of his comments. I understand his point about automation, but so far it has created many more jobs than it has caused to be lost. I accept that his principles are valid and commend him for them—he said that he does not use the automated checkout—but if we were to resolutely adopt them, some would argue that we should not have come here by tube today or by train last week because they put people who kept horses 300 years ago out of business.

I do not seek to take the argument to the extreme, but the point is that we cannot stop progress. It is the responsibility of places such as this to discuss how we make sure that our constituencies are safeguarded to the best possible extent, but we must also recognise that there are trends happening that we should not stop or want to stop, because this is about how people want to live their lives, shop and interact with their local community, which is more important than we may think.

Like a number of Members who have spoken, I have a retail background. My father, just like the Secretary of State’s father, was a milkman. I spent most of my teenage years helping my parents on that milk round, often doing more early mornings than I particularly wanted to as a 15 and 16-year-old. I remember the town centre in my part of the world in Chesterfield when I was growing up. I delivered to shops such as Radio Rentals, which is no longer there because we no longer rent radios or need to do so. High streets have got to change. They have always developed. There is always a requirement to be careful about it, but we have to accept that change is inevitable.

That said, we also have to accept that we have to be cognisant of certain things. I completely agree with the hon. Member for Ellesmere Port and Neston about banks. I formerly worked in a bank. I understand their issues about making branches work, but they are adopting a short-sighted and wrong strategy regarding the removal of vital banking facilities from parts of the country. I have never understood why banks do not come together and share space so that everybody still has that vital link, with a desk for Santander and another for Barclays and any other bank that wants to join. We cannot simply channel everything through the post office, because that ends up with the ridiculous situation whereby it is always massively busy with far too few people to physically man it. We have discussed similar problems elsewhere on the high street as a result of an insufficient number of people.

I commend the Government’s work, particularly on town teams. I have some great town teams in my part of the world. Eckington town team spends an incredible amount of time organising events at Christmas and over summer to bring people into Eckington, where my office is located, and to encourage them to help and to see their local town centre and local village centre. Clay Cross town centre is doing the same thing. Clay Cross is the birthplace of the hon. Member for Bolsover (Mr Skinner), who is not in his seat. The area is now represented by a Conservative MP—[Interruption.] I had to get that one in. The town team has introduced initiatives such as “Clay Cross on the beach”. I would never have thought—and I am sure the hon. Gentleman
would never have thought—that on a bank holiday weekend a load of sand would be put in the middle of Clay Cross, to encourage people to come. Such initiatives will make people choose that destination and show them the opportunities provided by their towns, including the shops and other possibilities. We in this place have to recognise that great work is going on elsewhere.

I do not want to suggest that there are no challenges. Local authorities in particular have a responsibility to do more. The local authority in my part of the world is completely shirking its responsibility to regenerate our town centre. A number of discussions are taking place, particularly in Dronfield. The town council is doing lots, and businesses want to do lots, but the district council is doing almost nothing and it should be called out for that.

There are challenges and difficulties, but we have to recognise that change is going to happen. We need to guide people through that, but we should not be afraid of those changes. The high street is going to change. It has always changed and it will change in the future.

Several hon. Members rose—

**Madam Deputy Speaker (Mrs Eleanor Laing):** I am afraid I must now reduce the time limit to six minutes.

2.59 pm

**Siobhain McDonagh** (Mitcham and Morden) (Lab): Some 21,000 jobs in the retail sector were lost in the first three months of 2018 alone. In that time, we have seen Marks & Spencer announce plans to close 100 stores by 2020 and all 100 Toys R Us stores shut their doors. Just last month, we even heard that Poundworld will lose more than 100 stores, putting 1,500 jobs at risk.

The retailer that I wish to bring to the House's attention today is Sainsbury's. Since 1869, Sainsbury’s has been a pillar of the great British high street. Over 148 years, it has established a reputation as a leading retailer that looks after and out for its colleagues and customers. That is why the proposal by Sainsbury’s to force unscrupulous contract changes on its staff is so appalling. The organisation is hiding the scandalous terms of its new contracts under the guise of a supposed increase in basic pay and an artificial investment in its staff workforce, but here is the reality: 9,000 of Sainsbury’s most loyal and long-standing employees who have dedicated decades of their lives to his organisation. How can a company that made a pre-tax profit of £589 million last year, with a CEO who receives £930,000 before bonuses, think it is right to force a pay cut on its most long-standing members of staff? Can the House imagine how furious those staff must have been to see their CEO, Mike Coupe, singing “We’re in the Money” on “ITV News”? He should be summoned urgently to justify his proposals before the Business, Energy and Industrial Strategy Committee.

I draw the House's attention to a staff-led petition on change.org, through which 122,000 colleagues and customers have called on Sainsbury’s to show some loyalty. The staff consultation is approaching its final stages and the voices of discontent are growing and amplifying. It is not too late for Sainsbury’s to rectify its increasingly damaged brand, for which its most loyal staff are made to “work well for less”.

3.4 pm

**Kevin Foster** (Torbay) (Con): It is a delight to speak in this debate. Ironically, if I was not here, I would be back in Torbay, helping to present the “Love Your High Street” awards. One recipient was the Kind Grind in Lucius Street in Torquay and another was a bar called Peaky Blinders in Winner Street in Paignton; both areas are famous for independent shops. This is a welcome opportunity to debate retail, particularly given its importance for many communities up and down the country. Given some of the campaign leaflets that I see in my constituency, it is rather odd that no Liberal Democrat Members were present for the first two hours of the debate, but I shall move on.

Let me start with our town centres, and particularly the internet's impact on them. No one is going to be able to roll back the digital tide. Most of us have in our pockets a phone with which we could order the entire contents of a department store, a do-it-yourself store and a supermarket literally while we are sat here, if we so wished. The internet has also brought services and products into areas that in the past would have found it difficult to access them. That does, though, present a challenge to our high streets. There is no longer a need to go to the town centre and in future people will mostly
Kevin Foster: go there out of choice, particularly as technology becomes more and more simple. We can heckle and make party political points, but that will not affect the change. It is therefore even more important that we look into what we can do not only to make town centres attractive places for those who still depend on them for their goods, but places to which people would go out of choice to go into a local shop and have an experience.

One thing that came out of the Tesco burger scandal was that a lot of people reconnected with the desire to know where their food comes from and what it is. A lot of local butchers had a boost that they had not had for a long time as people realised that there was something about going to a shop and speaking to a local business that could tell them almost from which cow the joint or product they were buying came.

There is a real need to look into what we can do to shape town centres as places. Rates can be a double-edged sword. They clearly have impacts on businesses, and there is a debate for the long run about how sustainable the existing business-rates model is, given that it is based on an era in which that corner on the high street was the best place to be—hence the location of a lot of Victorian buildings that became banks—and a crinkly shed on the edge of town was not very profitable at all—

Wera Hobhouse (Bath) (LD): Will the hon. Gentleman give way?

Kevin Foster: No, I will not, because the hon. Lady was not present for almost the first two hours of the debate.

The business rates system is now not all that appropriate, even though it was appropriate for the shopping patterns of the 1950s. Of course, if we look at it the other way around, by retaining business rates and taking the growth in them, councils can fund exactly the kind of regeneration that is needed in our town centres. So there is a double-edged sword for local authorities in respect of how business rates can be used in future. The existing structure is certainly not all there.

I could not agree more with my hon. Friend the Member for Mansfield (Ben Bradley) about the need to tackle long-term derelict properties in town centres. I think particularly of one in Paignton called Crossways, which is a pretty poor example of a 1960s shopping centre. It keeps going only because of the car park there, the mobile masts on top of it and a lease that was particularly badly negotiated by one retailer, which is still paying even though it shut its shop in the centre some years ago.

The problem with the existing compulsory purchase rules is that yes, in theory a council can get hold of a property like that to push forward regeneration, but the rules are cumbersome. I fully accept that there needs to be protection for people’s private property, particularly their homes, but if commercial properties—no one’s home—have been empty for many years, there comes a point at which it would make sense to make it much simpler for councils to compulsorily purchase properties in order to deal with eyesores. That simplification could be subject to protections based on how long a property has been empty, rather than on values and costs. Some owners almost rely on the fact that their property is such an eyesore that one day someone—I am thinking particularly the taxpayer—might pay a significant amount to have it dealt with.

It is right that local authorities play their part. Torbay Council is starting to look at the future of planning for our town centres, particularly in respect of Torquay, where there is a debate about its size and what we can do to revitalise it by bringing in residences and expanding student accommodation, particularly around the language colleges. That could bring a second wave of life to the town centre. We also need to deal with older, poor-quality office accommodation which, if replaced by new accommodation, could bring jobs and employment back into the town centre and provide the stimulus of people who work in the town centre then shopping, eating and drinking in the town centre after work or on their lunch break.

There is a positive story to be told about the future of our town centres, but they will be very different from what we have seen in the past. People will not use them out of necessity, so they will need to be encouraged to use them out of choice. There will still need to be essential services, such as local post offices and a network of local banks, but we need to be conscious that just standing in the way of technological progress is a strategy that will be as successful as it was for the Luddites who tried to argue against industrialisation 200 years ago. The Government can make a difference through their business rate policy, by giving local authorities more powers and by making it clear that there is still a retail success story in the future.

3.10 pm

Helen Goodman (Bishop Auckland) (Lab): I am very pleased to be able to speak in this debate, because 4,000 of my constituents work in retail. There are now more shop workers in my constituency than there were miners 50 years ago, although I have some questions about the quality of some of those jobs: the short hours, the low pay, and the constantly changing shifts that are forced on people. I found it very ugly to hear that people were given short shifts to, as their managers said, keep them hungry for extra hours. The problem is that in my constituency people are going to food banks—they are literally being kept hungry.

We need to look at bank holidays. It would be really good if Boxing day was a bank holiday, alongside Christmas day. Christmas day is often ruined for many shop workers, because they have to get up so early on Boxing day to rush in and reorder stores in time for the sales. [Interruption.] It is not a statutory bank holiday for people who work in shops.

High streets are very important and they can have a very significant impact on people’s wellbeing. In my constituency, a large number of people are working in a new out-of-town development in Tindale Crescent. The truth is that Shildon, Bishop Auckland and Spennymoor are all seeing a fading away of their town centres. There are good butchers and good bakers, but the overall picture is one of decline. There were a lot of closures after the post-crash recession, but we thought that things would come back. They have not come back and they continue to decline. If I may say so, I thought the
Secretary of State’s opening speech was verging on the complacent. The question is: why are these shops closing and what is to be done about it?

The first issue is the shift to online sales. The Government have failed completely to set a level playing field on tax. John Lewis raised this problem at least three years ago. There should be a turnover tax for Amazon, Google and other big online retailers. I agree with the hon. Member for St Ives (Derek Thomas) that we should move to that urgently.

The second problem is the very significant fall in wages across the British economy between 2007 and 2015—a 7% drop in real terms. We are not going to get back to pre-crash levels until 2024 and earnings are down £1,400 per person. That is bound to have an effect on what people can spend. In my constituency in County Durham, cuts to child benefit, tax credits, employment and support allowance, jobseeker’s allowance and disability allowances are all having a very serious impact on my constituents’ incomes. Obviously, they have less money in their pockets to spend. Moreover, the Government keep telling us that employment is rising. In my constituency, the increase in unemployment in the past 12 months has been 29%. We are not being compensated for all those wage cuts with extra jobs.

A third issue affecting the modern high street was raised by the hon. Member for Inverness, Nairn, Badenoch and Strathspey (Drew Hendry): the unequal roll-out of broadband and the lack of access to wi-fi. This is a problem for the shops themselves and it makes town centres particularly unattractive to young people who like to be able to communicate using social media when they go out and about. The Government’s inoptitude in rolling out broadband equally, without notspots, across the country is a real problem in Shildon, Spennymoor and Bishop Auckland.

The fourth problem is cuts to public services. My constituency has seen the loss of a driving test centre, a magistrates court and a tax office—all from Bishop Auckland town centre. The next thing to go is the registry where you can get married. The swimming pool in Shildon has gone. A sixth form is going in Spennymoor, which means young people after school will spend their time and money in Durham city instead. We need a conscious strategy for these towns. When public services are always centralised in cities, it denudes small towns of the life that then has a positive, second-round effect on shops and retail. When the footfall to other public services drops, fewer people are there to go shopping.

The private sector is no better. Many hon. Members have complained about bank closures. We had another depressing meeting yesterday with RBS. Barclays is closing a branch in Spennymoor. HSBC closed the last branch in Shildon. That is bad for shops and bad for small businesses. I would like Ministers to look at changing competition rules, so that banks can share branches in small towns. At the moment, the banks want to be able to run on their current branding. Ministers rely on competition. There is a market failure and we need to put the public interest first. I would like to see a change in the competition rules.

Many hon. Members have spoken about the problem of business rates. Beales in my constituency closed for precisely this reason. Hon. Members have spoken about the importance of compulsory purchase. I agree completely. We could have had a much speedier redevelopment in Spennymoor had the council been able to compulsorily purchase the private Festival Walk in Spennymoor town centre.

I do not want to leave hon. Members with the idea that good things are not going on in the towns in my constituency. Auckland Castle in Bishop Auckland will be a fantastic tourist opportunity and the 1825 celebrations in Shildon of the Stockton to Darlington line will enable us to make the most of the heritage action zone. There are pluses as well as minuses.

3.18 pm

Stephen Kerr (Stirling) (Con): On the high street, there are very few things sadder than a boarded up storefront. It is the sign of a dream denied, a lost opportunity and of course lost jobs. I will not deny that in Stirling city centre we are finding it tough. On Friday afternoon, I spent some time with Lisa Sneddon, the owner of the Bluebell Teashop. I recommend it to all hon. Members—indeed, it is obligatory—when they visit Stirling. She told me of her concerns about the state of Stirling city centre. Those concerns will be all too visible to anyone who visits it.

The pressures on city centre businesses have perhaps been compounded by the temporary closure of the Kerse Road bridge crossing. The bridge is being replaced as part of the electrification of the railway. It has undoubtedly been much quieter in the city centre of late, and there has been a discernible drop in footfall. King Street is a particularly sad sight. This is the street that leads up to the castle. Stirling Castle is one of the most popular tourist attractions in the entire country, and it should be a lively thoroughfare, but since the loss of McAree’s department store, which had been on that site for 123 years, there has been a definite drop in footfall on the street and in the number of businesses taking up the slack. Among its reasons for closing, McAree’s cited the Scottish Government’s rates system and specifically mentioned the large business supplement—not really a large business supplement, but a large property supplement. In one year, its large business tax rose to £27,000, and that was the straw that broke the camel’s back.

In the last two weeks alone, at least six other stores have closed in the city centre, including Toys R Us, which has been mentioned; Maplin; The Boozy Cow; The Fat Cyclist—interesting names betraying the fact that these were individually owned and independent businesses; and Mr. Simm’s Olde Sweet Shoppe. All have closed their doors for good, and I cannot deny that I am concerned. It came to light yesterday in a report entitled “Retail and Leisure Trends Report”, from the Local Data Company, that 520 units on the high streets in Scotland had closed in the previous year—more than anywhere else in the UK, including Greater London. I have already mentioned what David Lonsdale, director of the Scottish Retail Consortium, had to say about those numbers.

There is undoubtedly a way to save our city centres. They can have a bright future. Stirling city centre can have a bright future, but the city centre needs to be skilful and repurposed. I will work with anyone who can help bring it back to its former glory. The landscape is changing, and bricks and mortar retailers must move
with that change. People are buying online, and that is not only about choice; it is also about the convenience of shopping when and where the consumer chooses; it is a simple and relatively hassle-free experience.

Leigh Sparks, professor of retail studies at the University of Stirling, has called on retailers to demonstrate a more imaginative approach to customer experience, to create new concepts of retailing that stimulate consumers and to make their stores must-visit attractions in their own right. He has talked about retailers that have not done a particularly good job, among them Toys R Us. He said that “when Toys R Us came to Britain, it was innovative and new. Yet he said that done a particularly good job, among them Toys R Us.

Stephen Kerr, has called on retailers to demonstrate a public policies that create the right conditions for the revival and prosperity of the high street are now overdue. We need to do much more to bring people to them, and that means businesses need to work together in the business improvement districts already mentioned—we have one in Stirling city centre—to make the city centre a compelling and irresistible proposition, a positive destination. That means creating an experience that supersedes the perceived benefits—convenience and price—of shopping online. The high street needs to be more about retail experiences—entertainment, food, independent stores—that people want to have.

We cannot have more of what the Americans call “cookie cutter” department stores—where someone can close their eyes and spin around and find it difficult to identify which town they are in. We need more variety and to entice people not only to visit city centres, such as Stirling city centre, but to live in them. We need to make that possible. People living in the city centre will bring life and vibrancy to an important civic space, and public policies that create the right conditions for the revival and prosperity of the high street are now overdue.

3.24 pm

Melanie Onn (Great Grimsby) (Lab): I confess I had not intended to speak in this debate, but I realised that week in, week out my constituents consistently talk about the state of Grimsby town centre. It is an issue on the doorstep and in my surgery. They all want something done about it. People in Grimsby are incredibly passionate about it. People living in Grimsby town centre to make the city centre a compelling and irresistible proposition, a positive destination. That means creating an experience that supersedes the perceived benefits—convenience and price—of shopping online. The high street needs to be more about retail experiences—entertainment, food, independent stores—that people want to have.

We cannot have more of what the Americans call “cookie cutter” department stores—where someone can close their eyes and spin around and find it difficult to identify which town they are in. We need more variety and to entice people not only to visit city centres, such as Stirling city centre, but to live in them. We need to make that possible. People living in the city centre will bring life and vibrancy to an important civic space, and public policies that create the right conditions for the revival and prosperity of the high street are now overdue.

3.24 pm

Melanie Onn (Great Grimsby) (Lab): I confess I had not intended to speak in this debate, but I realised that week in, week out my constituents consistently talk about the state of Grimsby town centre. It is an issue on the doorstep and in my surgery. They all want something done about it. People in Grimsby are incredibly passionate about their town and have not quite managed to find the time yet.

However, we are not doing nothing. There are some brave independents that have set out to establish new businesses, but that tends to happen in the café market. As with supermarkets, we are surely at saturation point. There will come a time when we do not need any more cafes—when we do not need to eat any more cakes or drink any more tea, lovely as that is and excellent as those providers are. The future of our town centres cannot be entirely based on that. I mentioned saturation point. We have two Tesco Extras, a Sainsbury’s, two Lidl, two Aldis, and a Morrisons—whose move to a continental shift pattern is having a huge impact on individual members of staff—but those are not the high street and they are not the high street, and relying on them for the future of our town economies seems utterly ludicrous to me.

In Grimsby, 4,500 people are employed in retail: about 11% of the working sector. Let me use my final seconds to say to the Minister—unsurprisingly—that we are trying to pioneer a town deal that will bring together all the elements that were mentioned by the hon. Member for Stirling (Stephen Kerr): the impression they get reflects on how those providers are. The future of our town centres cannot be entirely based on that. I mentioned saturation point. We have two Tesco Extras, a Sainsbury’s, two Lidl, two Aldis, and a Morrisons—whose move to a continental shift pattern is having a huge impact on individual members of staff—but those are not the high street, and relying on them for the future of our town economies seems utterly ludicrous to me.

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May I take you, Madam Deputy Speaker, on a journey to Redditch? I do not know whether you have ever been there—

Helen Goodman: Of course she has. It is a marginal. [Laughter.]

Rachel Maclean: I am sure that you went there back in 2010, Madam Deputy Speaker. Those were happy days, with former colleagues. You will have seen the wonderful traffic-free roads that lead to Redditch. It is a new town, which was built in a moment of hope to accommodate people who were moving out of Birmingham and from elsewhere in the country. They wanted to come to Redditch to build a home. You will drive smoothly to the town centre, because there is no traffic holding you up: you can go straight past the islands. When you reach the town centre, you will park your car at the Kingfisher shopping centre. You will walk through that wonderful shopping centre, which is privately owned and very well run, and is doing a lot of work to attract new retailers. It is an example of excellence in our town centre.

Unfortunately, however, when you leave the Kingfisher shopping centre, Madam Deputy Speaker, you will go out into the old part of the town, where you will observe a scene almost identical to the one described by the hon. Member for Great Grimsby (Melanie Onn). You will see boarded-up shops and graffiti—not the trendy kind for which people pay good money, but the kind that we really do not want. You will see underpasses leading nowhere, the sort that you do not want to go through. That is a great shame, and it affects people’s impression of the town. They are passionate about Redditch, they love it with all their heart, but they want it to compete on a level playing field with other shopping centres that are only 10 or 15 minutes’ drive away, in Solihull and Birmingham.

At present our town centre is struggling, partly because, unfortunately, the leaders of Redditch Borough Council—sadly run by Labour, until the local elections last month—have not grasped the many opportunities that are at their fingertips to improve things for local residents. The Conservative-run county council went to Redditch and asked its council, “What is your vision for your town?” A number of successful, thriving towns in the rest of Worcestershire are using Government funds to make improvements. One example is Hereford, with its university of technology, its specialist area. Another is Kidderminster, with its incredibly successful ReWyre partnership which is driving investment in the town. Before that, it was haemorrhaging people because no carpets are made there any more.

Redditch used to be a centre of needle manufacturing, but what did the local Labour leadership come up with? I am sorry to say that the best it could come up with was the £800,000 that it spent on paving a yellow brick road on the high street. What good does that do in the face of all the challenges so eloquently outlined by Members in all parts of the House? What does it do to drive investment into our town centre? What does it say to the new business investors, the entrepreneurs who are putting their life savings at risk? There is, for example, Rees Cafe, which serves the most amazing vegan brownies.

There is Heaphys Menswear, one of the oldest independent retailers in Redditch. There is Sew Fab, which purveys wonderful sewing kits—not that I have time to sew. What does that say to them? It does not give them a vision of hope for a town centre. It is just blocks on a road. It is absolutely useless.

That is the tragedy of the Labour council, but now we are turning over a new leaf. People really want to see Redditch thriving. Our whole message to the people of Redditch is that we need to—and can—unlock Redditch. It will take time—we appreciate that, but we need to work together. We need to create an environment where local leadership is welcoming people into the town and encouraging entrepreneurs to thrive. That is what we need in Redditch, and not this approach from Labour with a lack of imagination and no vision for our town.

This has been a great opportunity to have this debate and to make points to the Minister. On business rates, in common with others, I really welcome the work that he has done, which I believe will see £2.3 billion of business rates being saved by our local businesses, but please can we keep that work up? Businesses up and down the country are going to welcome that.

3.35 pm

Craig Mackinlay (South Thanet) (Con): The motion before us today is somewhat rambling, dare I say. It has three parts. It is about squeezing wage growth, the condition of the retail sector, and there is a bit of Brexit put in as well—but we will have 12 hours next week to discuss that. Generally, however, what the Opposition are putting forward is that the Government should do more. They should spend more, subvert reality and revert this country to a command and control economy.

Let us look at wage growth, because we have had so much misdirection and ignorance of the truth regarding that. I think that the Opposition hope that if they say it often enough, people might believe it, but I recommend that they look at the facts. Let us look at a hypothetical, lower-paid employee. In 2010, the national minimum wage for those over 21 was just £5.80. Today, in 2018, it is £7.83; that is a 35% rise. Let us look at the income tax personal allowance. When we came into Government in 2010—we were left to pick up a lot of mess by Labour—the tax-free allowance was just £6,475. Today, in 2018-19, it is £11,850; that is an 83% rise in the tax-free band. Let us put those together. A 35-hour-a-week lower-paid employee at minimum wage in 2010 would have had take-home pay, after tax, of just £9,740, but today, the minimum wage and that huge increase in the tax-free allowance means that their take-home pay is £13,768. That is over £4,000 in real cash in the pockets of the lower paid under this Government. That represents a 41.4% increase in take-home pay.

Wera Hobhouse: It is, however, about the balance between the two. In relatively successful towns or very successful cities such as Bath, which I represent, shops are still doing fine but life is more expensive, so the balance of what people take home as pay and what they have to spend to live in an expensive city is much higher, too. The balance of the two, even in good, successful town centres such as Bath—and it is not that successful—is not right.

Craig Mackinlay: I thank the hon. Lady. Today’s debate is about the retail sector and wages. I was going to say that 41.4% over eight years is 5% a year, which is greater than any measure of inflation, no matter which
one people care to mention, so there has been a real cash increase to all those working. We have the lowest unemployment since the 1970s and more people in work today than we have ever had in the history of this nation. I am afraid that we must stop listening to the misinformation from the Opposition. Their statements are simply not true. Real wages are rising.

In the retail sector, as we have heard, we have had business rates relief and changes from RPI to CPI, which will mean a reduction of over £2 billion to those who have retail stores. During this Parliament over 600,000 businesses will pay no business rates whatever, and in the first half of 2017, more retail units were opened than closed. There are 300,000 more in employment in the retail sector than in 2016.

That does not mean that everything is rosy on the high street, but when we consider what the Government did in 2008, when they took this country into probably the worst recession that it has ever known, in the third quarter of 2008 alone, there was a 4.2% decrease compared with the year before. That happened in just one quarter under Labour; that is what they condemned this country to.

The real debate here is the changing face of retail, and the internet is the reason for that. With spending now at £1.2 billion per week, 17% of all spending is now on internet purchases, and that is a 12% year-on-year increase. That is not unique to Britain, but is happening across the entire world.

That is the reality of life, and we are all guilty of fuelling it. If I want a shirt like the one I am wearing but blue with a 34 inch arm and a 15½ inch collar and I want it delivered tomorrow, ordering that will take me three minutes, and it will be delivered. We are all purchasing in that way now; unfortunately, we are all fuelling the changes to the high street.

We have had debates about banking in the House, and I have taken part. Our banking landscape is changing, sadly, because we are all being encouraged on to mobile apps and mobile banking. Also, when did anyone in this House last book their flights in a high street travel agent?

Martin Vickers (Cleethorpes) (Con): I used a travel agent in the centre of Grimsby in April.

Craig Mackinlay: Well done to my hon. Friend; I am not as reliable in buying my travel tickets on the high street as he obviously is.

When did Members last browse property prices on the internet? We do not do that so much in a high street shop any longer; it is likely to be on the internet now. The reality is that in current retail there is a far higher spend per staff member on new internet retailing such as Amazon than on the high street. It is also likely that there are higher costs on high street stores per square foot than on warehouse-style retailing.

Things are changing. We have a 20th-century tax system that looks at bricks and mortar and taxing things. Part of the formula for addressing this issue must be that we tax more appropriately the abstract activities of internet retailers and warehousing. When I go on the high street in Ramsgate the retailers say they do not feel that the big online retailers are paying their fair share.
Bill Esterson: Indeed; as my hon. Friend the Member for Bishop Auckland also said in the debate, there is no such strategy.

In the response to the urgent question on Marks & Spencer on 24 May, the Minister for Energy and Clean Growth, the right hon. Member for Devizes (Claire Perry), said that the Government had set up a new Retail Sector Council, but why has that taken so long? Why did it take eight years to create that council? What is needed now is action. Business rates are a huge fixed cost for businesses in our high streets, and that is a disadvantage that their larger online-only rivals do not have to contend with. The Under-Secretary of State for Business, Energy and Industrial Strategy, the hon. Member for Burton (Andrew Griffiths), will no doubt say that there have been changes to business rates, but those changes have made matters worse for many businesses, particularly smaller ones. Last year’s revaluation resulted in an average rates increase for smaller shops of £3,363 over the next five years.

The Government commissioned Mary Portas—remember her?—to tell them how to re-energise high streets. How is that going? Not so well. Her report recommended cuts to business rates, not the massive streets. How is that going? Not so well. Her report remembers her?—to tell them how to re-energise high streets. Changes have made matters worse for many businesses, particularly smaller ones. Last year’s revaluation resulted in an average rates increase for smaller shops of £3,363 over the next five years.

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extreme Brexiteers in the Conservative party. Let us have a proper sector deal that sees action, not just words. Let us see the Government make a proper commitment to retail. Three mentions of the sector in a White Paper do not inspire confidence in the Government’s commitment to retail businesses or workers.

Let us have a deal with thriving town centres, not crippled communities, and one that addresses the concerns of the British Retail Consortium, which describes a sector in stasis, where vacancies are going up. Let us see a deal that reverses the long-term decline. Let us see proper business rate reforms that include the switch to CPI-measured inflation, encouraging innovation and growth, that exempt new investment in machinery from valuations and that ensure businesses can access a proper, comprehensive appeals process. We need a deal that has smaller independent retailers at its heart and one that supports retail by investing in skills, in education and in an immigration system that brings in the skills this country needs. We want a deal that takes on board Labour’s plans for a catapult centre for retail, that listens to the views of employers and unions and that promotes the best outcomes for workers, communities, consumers and businesses.

3.53 pm

The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Andrew Griffiths): It is a delight to get to the Dispatch Box at last, Madam Deputy Speaker, and I hope that you will indulge me and allow me to answer some of the important points that have been made in this excellent debate. I thank the Opposition for bringing it forward. It is clear that there is strong agreement across the House that the retail sector is vital to our economy, our local communities and the many thousands of constituents who rightly rely on the sector for their livelihoods.

I will quickly address some of the points raised by right hon. and hon. Members in this debate. The hon. Member for Inverness, Nairn, Badenoch and Strathspey (Drew Hendry), in an interesting speech that particularly focused on Brexit for a change, raised the issue of austerity but forgot to remind the House that, as a result of changes to lift the lowest paid in society out of welfare and as a result of the biggest increase in the national minimum wage and the national living wage for 10 years, those on the lowest pay are now £3,800 a year better off—that is thanks to the policies of this Government.

The hon. Gentleman understandably raised an important point about the pay of the youngest in society. I share his desire to ensure that young people are fairly paid, but he forgot to mention that unemployment among 16 to 24-year-olds is persistently higher than among those aged 25 and over—12.1% compared with 3.1% across the country. The unemployment rate for 16 to 17-year-olds is 26.9%. Increasing pay would make it more difficult for young workers, whose priority is to get their first years on the job ladder, to secure work.

Drew Hendry: Will the Minister give way?

Andrew Griffiths: I know the points the hon. Gentleman will make, so I hope he will forgive me if I do not allow him to intervene. Time is pressing.

The hon. Member for Ellesmere Port and Neston (Justin Madders) made an interesting speech in which he talked particularly about the loss of banks. Although I share his concern, he will know the Government have invested some £370 million in the post office network, which now provides both business and retail banking. I am sure he values the contribution that that is making to the important post office network across our communities.

The hon. Member for Bishop Auckland (Helen Goodman) had a shopping list of questions, which is apt in a debate on retail, but, as with all shopping lists from the Labour party, it had a huge price tag attached. She asked for Boxing day to be a bank holiday for retail workers, but she forgot to mention that that would cost employers an extra £1.2 billion.

The hon. Lady raised the issue of competition policy and the banks being able to share premises. As I understand it, there is no competition policy issue that would prevent banks from sharing premises—they would obviously have to be careful about sharing data and personal information. If she has other concerns, I will be delighted to talk to her. Perhaps she could drop me a little note on her concerns.

My hon. Friend the Member for Torbay (Kevin Foster) made an interesting speech, particularly on “Love Your High Street,” which he is championing. I hope he will be getting free beer at the Peaky Blinders bar after he mentioned it. He made a particular point on the need to revitalise our high streets and change the way they are purposed, and I absolutely agree.

My hon. Friend the Member for Stirling (Stephen Kerr) raised the sad loss of The Boozy Cow and The Fat Cyclist Café, which are a great loss to us all. He also raised the important issue of the need for innovation in our town and city centres.

The hon. Member for Great Grimsby (Melanie Onn) again raised the Grimsby town deal, about which she cares passionately. She also raised the issue of coffee shops and said that surely we cannot eat any more cake—there are hon. Members present who might disagree. My hon. Friend the Member for North East Derbyshire (Lee Rowley) made some particularly important points, for which I am grateful.

Let us reflect on the recent structural changes in the sector and on the announcements we have had of late. There has been a shift in consumer behaviour, and we need to be aware of that shift. The move towards new technology is a great innovator and it provides great opportunities, but it also provides great challenges. I commend my hon. Friend the Member for Mansfield (Ben Bradley) for his campaign for free parking, which is an excellent proposal. He is standing up for his local residents.

My hon. Friend the Member for Redditch (Rachel Maclean) mentioned Labour’s yellow brick road, and on the folly of the Labour party, I point to the problems of Cannock Chase District Council, which is now trying to charge hard-working independent retailers £85 just for having an A-board to advertise their shops. That is the Labour party getting in the way of private business, as usual.

Many Members mentioned the key issue of business rates. The Government are aware of the wider business rates concerns and are looking to address them. We undertook
the last fundamental review of business rates in 2016, announcing reforms worth £9 billion. A further £4.3 billion package was announced at the spring Budget in 2017, including £1.1 billion to support 16,000 small businesses. I hope that Members from across this House will join me in celebrating Small Business Saturday later this year to try to support small high street retailers.

The Secretary of State mentioned the Retail Sector Council, which I am chairing, and the hon. Member for Sefton Central (Bill Esterson) asked whether we were working with USDAW. I should point out to him that USDAW sits on the RSC and is making a great contribution, and we are grateful for its support. The RSC will look at the issue of business rates, as per our manifesto commitment.

We all recognise the importance of retail and the contribution it makes, not just to the UK economy, but to our communities up and down the country, and the people it employs. I reassure the House that we will continue to work with the unions, the retail sector, local government and everyone else concerned to make sure that the retail industry across the UK has a bright future.

**Question put and agreed to.**

**Resolved.**

That this House notes that 21,000 jobs were lost in the retail sector in the first three months of 2018 due to store closures and company administrations, with more announced since; further notes that the retail sector is one of the largest employers in the UK and contributed £94.6 billion to the UK economy in 2016; regrets that the Government’s industrial strategy contains only three references to the retail sector; further regrets that the Government has presided over the biggest squeeze in wage growth in a generation, is failing to provide certainty around future trading arrangements after Brexit and has failed to ensure a fair business rates system; and calls on the Government to urgently publish a strategy for the retail sector.

**Rural Crime and Public Services**

4.2 pm

**Louise Haigh** (Sheffield, Heeley) (Lab): I beg to move,

That this House is concerned that the level of rural crime remains high; notes research by the National Farmers’ Union that rural crime cost the UK economy £42.5 million in 2015; recognises that delivering public services across large, sparsely populated geographical areas can be more costly and challenging than in urban areas; agrees with the National Rural Crime Network that it is vital that the voice of the countryside is heard; calls on the Government to ensure that the personal, social and economic costs of crime and anti-social behaviour in rural areas are fully understood and acted upon; and further calls on the Government to ensure that rural communities are not disadvantaged in the delivery or quality of public services.

In the public imagination and in international reputation, rural Britain is a place of near meadows, still streams and sleepy villages, but the challenges facing it and its police forces are significant and unique. Although media coverage and our political attention this year has, understandably, focused on metropolitan areas, particularly London, given the horrifying spate of serious violence and of growing crimes associated with mopeds, that is not to say that the crimes experienced by victims in our rural communities do not matter. Indeed, one of the greatest challenges our policing model faces is its ability to provide a consistent service to every victim, and indeed offender, regardless of where they live.

There is perhaps a sense that has crept in, as budget cuts bite, that rural crime is more trivial, but as we will hear today from many Members representing rural constituencies, not only do we face the traditional types of rural crime, but crime is mutating and rural communities are no longer immune to serious crime. In the most recent year for which figures are available, more than 88,000 farm animals were snatched by thieves, amounting to more than £6 million in lost stock to farmers, with the consequential impacts on our rural economy. Last year, Humberside police spent 1,200 hours battling hare coursing, with more than 500 reports of the crime in the 2017-18 season. The pursuit has been illegal since the Hunting Act 2004 and it involves “sighthounds” such as lurchers, greyhounds or salukis being set on hares, often with large sums bet on the outcome. Dealing with this is resource intensive for rural forces but it is necessary to respond, as the practice intimidates local communities and has significant criminal and antisocial behaviours associated with it.

**Helen Goodman** (Bishop Auckland) (Lab): My hon. Friend is making an important speech. County Durham is a large rural area—my constituency comprises 300 square miles—yet our police have been cut by 25%. Is she satisfied that the formula for policing adequately takes account of the difficulties of pursuing policing in a rural area?

**Louise Haigh**: It may not surprise my hon. Friend to know that I am deeply unsatisfied with the resources available for policing and with the funding formula on which we base our police funding at the moment. She makes an important point. On recent visits to forces in the south-west, I was particularly struck by the challenges facing police in huge rural areas, such as those in her constituency.
In the Devon and Cornwall force, not only is the chief constable responsible for an area of almost 4,000 square miles, but he—and in this case it is a he—is also responsible for 500 miles of coastline and for 10 miles out to sea. That is an incredible challenge when we consider that my old force, the Met, has 44 officers per square mile, while Devon and Cornwall has 0.7 officers per square mile. In that context, it is useful to discuss the proposed merger of Devon and Cornwall with Dorset police force and the strong belief of both forces that the move would produce better working, better connectivity and a better presence in communities and that neighbourhood policing would become more of a priority.

I have had similar conversations in Warwickshire and West Mercia. Given how significantly crime is changing, perhaps it is time to look at the structure of policing in this country, particularly at how we can ensure a consistent approach across the country. It has been fantastic to see innovations in forces such as those around drones, the development of tech solutions in forces such as Avon and Somerset, and the use of tri-service officers—officers who are trained as police community support officers, fire officers and paramedics all in one. However, we must ensure that where best practice is evidence-based and effective, it can be rolled out across the country, so that we are not reinventing the wheel time and again.

At the heart of our policing model is, and must always be, community policing, but that is what has been most affected by eight years of austerity. Those rural community policing beats are essential in preventing, detecting and tackling crime in rural areas. Community officers are treasured in all our communities, and yet, in many rural forces, neighbourhood teams have been completely abolished or merged with response teams, which effectively means the same thing.

Susan Elan Jones (Clwyd South) (Lab): I am delighted that my hon. Friend is making a really, really powerful speech that will resonate in many of our rural communities. I know that she will want to pay tribute to the great work of organisations such as Farm Watch. Those of us in rural areas are not scared of voluntary action working alongside statutory services, but where we do get angry is when there is not enough neighbourhood policing.

Louise Haigh: My hon. Friend is absolutely right. True community policing and neighbourhood policing work very effectively with Farm Watch, Neighbourhood Watch and other voluntary organisations in our communities. We are not just talking about a police officer walking down the street with his hands in his pockets. True neighbourhood policing requires officers to engage and build relationships with communities and to grow trust in the police. Having grown up in South Yorkshire, I know that the policing of so many communities, particularly the hardest-to-reach communities, requires that approach in order to be able to police by consent. On top of all that, we have seen numerous rural police stations close—the symbol of a rural community’s relationship with its local police service and a symbol of the police’s commitment to those communities. There is strong evidence that they have contributed to the legitimacy of the police in the eyes of the public. Little wonder then that the National Farmers Union has found two worrying trends: first, that four in 10 people in rural areas fear crime, double that of individuals in urban areas; and secondly, that two thirds think that the local police fail to deal with the problems that matter to them—twice as many as the national average. Those figures show that the ability of the police to interpret and respond to the needs of rural communities is fading away, leaving those communities isolated.

Chris Elmore (Ogmore) (Lab): As always, my hon. Friend is giving a very well-informed and impassioned speech. On this point about rural communities, does she agree that it is also very important that we think of rural communities not just as places such as Somerset, Devon or Cornwall, but as seats such as mine, former heavy industrial areas? For example, the Ogmore and Garw valleys in my constituency no longer have police stations, but what they do have now is high levels of rural crime. They are isolated and cut off because of deindustrialisation. That must be put into the mix of how we see rural crime moving forward.

Louise Haigh: I could not agree more. It is exactly the same in my own home force of South Yorkshire. The pernicious and long-term effects of deindustrialisation in communities are often the same issues that other rural forces and areas experience and are affected by.

The feelings of isolation can be strong and overwhelming, particularly for vulnerable individuals in rural areas such as that of my hon. Friend the Member for Ogmore (Chris Elmore). If police do not have the ability to reach out, they will feel ever more vulnerable. The Conservative party used to be clear on this. A leaked internal communiqué said that “police-stations are important to local communities and the sheer number of closures is worrying.” But since that communiqué, closures have rocketed. Nearly 400 police stations have closed in England and Wales, with the number of front counters open to the public falling from over 900 in 2010 to just over 500 today. It is harder to ignore the knock-on effects that sales of police stations and closures of custody suites have had on policing. Particularly in large rural areas, officers now have to drive for long distances to take offenders into custody, taking them off the streets for a considerable period of time.

James Cartlidge (South Suffolk) (Con): Is the hon. Lady actually saying that she would reopen those police stations?

Louise Haigh: No. I am saying that we would properly resource the police to be able to do their job, unlike the Conservative party. In reducing the police, as the Conservatives have done, to nothing more than a flashing blue light that only arrives when the absolute worst has happened, not only have they destroyed the police’s ability to prevent crime from happening in the first place; they have rolled back all the progress of the previous generation in building trust with the police in the hardest-to-reach communities. That is the danger of the loss of community officers from rural police forces.

The devastating assault on the strength of our police service as a result of decisions taken by the Conservatives has undermined the fundamental foundations on which
in rural areas. With the numbers of looked-after children and homeless children rising, this is of significant concern. The exploitation of young and vulnerable persons is a common feature in the facilitation of county lines drugs supply, whether for the storage or supply of drugs, the movement of cash, or to secure the use of dwellings held by vulnerable people—commonly referred to as cuckooing.

As the Home Office’s own analysis of the rise in serious violence states, childhood risk factors, including economic stress, mean that interventions with vulnerable young people such as those excluded from school and looked-after children would be successful in reducing violence and drug demand. The Government are aware of this, but so far their response has been muted, and their continued refusal to fund the police properly is felt across the country.

Giles Watling (Clacton) (Con): Does the hon. Lady not agree that it is our job as constituency MPs to stay in touch with our local police forces and to address their concerns? That is what I did, and that is how I managed to raise the precept in our local area and increase the police force there.

Louise Haigh: Raising the precept in the way that the Government have done is a fundamentally unfair way to fund police forces across this country. [Interruption.] I am sorry—I do not know which police force area the hon. Gentleman represents, but I am almost positive that raising the precept by 2% will result in significantly more in his force area than in my area of South Yorkshire, or in Northumbria, Cleveland, or many metropolitan areas that have significant demand.

Ruth George (High Peak) (Lab): In my own police area of Derbyshire, we have seen a drop of over 400 police officers. Yes, we have raised the police precept, with £12 a year from every resident on top of the 5% increase in council tax for social care, but that will fund 25 officers, while we have lost over 400. There is absolutely no comparison in terms of what can be achieved.

Louise Haigh: My hon. Friend puts it much better than I did. Last year, the precept was able to raise £270 million. That is a drop in the ocean given that this Government have taken £2.7 billion out of policing over the past eight years. The force in the area of the hon. Member for Clacton (Giles Watling) may have been able to increase numbers from their existing point, but I am sure that they will not have been driven up to the levels that we saw in 2010, and will certainly not account for the level of demand or the cuts that we have experienced.

There are other demands on rural forces—if not unique to them, then certainly more pronounced. From cyber-crime to hate crime, from domestic violence to historical child sexual exploitation, the Government keep stating that crime is falling, but the experience of the police on the ground could not be more different. Nowhere is that more obvious than in non-crime demand that falls on the police. Non-crime demand makes up about 83% of calls to command and control centres, and in rural forces that is likely to be higher. Over the past eight years, because of the sparsity of social, mental health and more general health services, rural police forces have taken on an increased role as an auxiliary social and emergency service. I know of one
rural county in northern England which, at the weekend, has one social worker on duty for the entirety of its social services, including for children with learning difficulties and those living with dementia. From 5 o’clock on a Friday, the police are the only service available to fill the gap.

Gloria De Piero (Ashfield) (Lab): Does my hon. Friend agree that there has been a massive increase in the modern demands of policing.

Louise Haigh: There has been the same level of demand from 101 and 999 as, just a few years ago, the police would have experienced only on new year’s eve. As I say, that is coming not only from traditional crime but from the demand on other public services.

This is not only wrong for the police, who are not trained or equipped to deal with the responsibilities of other public services, but, most importantly, wrong for the people struggling with their health needs, who are met with a criminal justice response rather than a health one because the proper provision simply is not available.

The result of all this is that criminals have recognised that our rural communities do not have the protection they need, and they are exploiting that. One reason why we are now hearing calls for all rural police officers to be armed is that the response time is unacceptably high for police and armed officers in significant swathes of the country, but arming all officers fundamentally undermines the principle of policing in this country: to police in communities and by consent.

While all forces experience seasonal variations, the minimum relative to maximum variation, especially for daily crime and antisocial behaviour, is far greater in rural forces with national parks and coastal areas attracting tourism. The seasonality of demand must be recognised, to ensure not only geographic equity but that minimum levels of service can be maintained throughout the year.

Clearly the police funding formula needs to take into account the real picture of demand and pressure facing every police force. We know that the current funding formula is broken. It uses age-old data and does not reflect the needs, demands and pressures on forces, nor the modern demands of policing.

Jonathan Edwards (Carmarthen East and Dinefwr) (PC): I thank the hon. Lady for giving way; I am listening to her with great interest. One of the worst aspects of the centralisation of police services in England and Wales over the last few years has been the centralisation of air support services and the creation of the National Police Air Service. That has removed dedicated helicopters from Dyfed-Powys, for instance, which covers two thirds of Wales. Would it be the Labour party’s policy to scrap NPAS or to keep it?

Louise Haigh: The issue with the centralisation of services such as NPAS is that those decisions have been made for all the wrong reasons. They have been made to drive cuts, rather than being genuinely about where provision should be. We would certainly keep NPAS and other services like it under review, but those decisions need to be made on the basis of the efficiency and effectiveness of that service, not solely to drive cuts for ideology’s sake.

The police funding formula cannot be reformed from a position of ever decreasing budgets. We saw what happened when they tried to do that with schools; it just shifted the pain elsewhere. It has to depend on need and take into account all demands for policing services. Though crime levels are important, we know that some rural forces face other unique challenges, such as the cost of policing a huge area, modern slavery and seasonal influxes of tourists. That has to be reflected in the funding formula.

Matt Warman (Boston and Skegness) (Con): It felt like the hon. Lady was describing Lincolnshire—a huge, sparsely populated rural area with a huge coastal influx.

Given what she says, why did Labour vote against a fairer funding formula that would have benefited Lincolnshire and against £450 million extra for the police? I am still waiting for the bit in her speech where she pays impassioned tribute to the hugely brave work that police officers in Lincolnshire do, in difficult circumstances, when they are battling all the issues that she has raised.

Louise Haigh: If the hon. Gentleman had not chosen to interrupt me at that stage of my speech, I would have got on to the bit where I praise police officers. I am a former police officer, as he may well know. We voted against the Government’s unfair funding formula because it did not deliver the funding that our police services so desperately need. As I have already explained, funding our police through the precept is unfair and distributes funding disproportionately away from the areas that need it most.

I would like to close by thanking the NFU for its support in preparing for today’s debate and, of course, the tens of thousands of police officers and staff across our country who work tirelessly to keep us all safe. Our conversations so often in this place cover the pressing challenges of our urban centres, but we can demonstrate how to deliver a consistent policing service for everyone, no matter who they are or where they live. The Government’s reckless and ideological approach to policing has not only left our inner cities rocked by serious violence but has left every single one of our communities exposed to crime. Only a Labour Government will keep the public safe and give the police the resources they need. I commend the motion to the House.

4.23 pm

The Parliamentary Under-Secretary of State for the Home Department (Victoria Atkins): May I thank the Opposition for securing this very important debate? I answer, of course, as a Minister, but I hope you will forgive me, Madam Deputy Speaker, if I occasionally speak from the heart, as a constituency MP who represents one of the largest rural constituencies in England—a mere 531 square miles. I have the pleasure of serving my county alongside my hon. Friends the Members for Boston and Skegness (Matt Warman) and for Skeffington and North Hykeham (Dr Johnson). So, with respect to the shadow Minister, the hon. Member for Sheffield, Heeley (Louise Haigh), she does not need to tell us about the challenges of policing rural areas. In Louth...
and Horncastle, we have beautiful countryside—not just some of the richest farming countryside in the country, but the rolling hills of the Lincolnshire wolds and some of the most undeveloped, natural coastline in the country.

It is with that experience that I respond to the motion with interest. If I may say so, I think the Opposition have fallen into a trap in the first line of their motion, in which they refer to “rural crime”, because there is of course no definition of rural crime. The crimes that can be found in urban areas can also be found in rural areas. Indeed, I have just come from a very interesting debate in Parliament Street, run by the all-party groups on domestic abuse and on mental health, where we discussed exactly the point that domestic abuse knows no boundaries.

We are aware—looking across the House, I see there are some experts here—that modern slavery and human trafficking know no boundaries. These crimes are found in urban areas, but also in rural areas. Indeed, I commend Lincolnshire police for their extraordinary piece of investigative work last year in bringing together the largest ever modern slavery prosecution. It brought to justice the Rooney family, and nearly 100 years’ worth of imprisonment was delivered to the disgraceful defendants in that case.

We should not labour under the misapprehension that rural crime is different from urban crime, although it may manifest itself in different ways. However, there are of course particular types of crime that may have a unique effect in rural areas.

David Hanson (Delyn) (Lab): The Minister will know that some crimes are present only in rural areas. In my constituency, sheep worrying—dog attacks on sheep—is one example. The police do not record that centrally, in the Home Office, as a crime, and she cannot stand at the Dispatch Box and tell me the extent of sheep attacks in the United Kingdom.

Victoria Atkins: I am grateful to the right hon. Gentleman, because I was about to come on to that point. There are crimes that have a particular impact in rural areas, but I am saying that we should not confuse our discussion to those crimes. Important though such crimes are, we must reflect on the fact that rural areas deserve support and attention when it comes to crimes that are also found in urban areas.

If I may, I will draw on the point about antisocial behaviour. Such behaviour might not be at the most serious end of the range, but nevertheless it may well have a hugely detrimental impact on local people. Families living in isolated homes may feel that they have been targeted precisely because they live in an isolated location. We know of examples of organised crime gangs targeting farms—for example, in my county, with fly-tipping.

Organised crime gangs are also working in consort across county boundaries to indulge in one of the cruellest crimes that can be committed against animals, which is hare coursing. I suggest that colleagues on both sides of the House may soon be addressing us on the issue of hare coursing. We know that criminal gangs are profiting from animal cruelty, with dogs that can be worth up to £50,000, depending on how large their betting rings are. This type of crime has similarities, in terms of exploitation, with types of crime in urban areas, but it has a unique impact in rural areas.

Mike Amesbury (Weaver Vale) (Lab): Is trespassing via organised hunts on farmers’ land and people’s private property a rural crime or an urban crime?

Victoria Atkins: I am not quite sure what the hon. Gentleman is referring to. Is he suggesting there are hunts in central London or in city centres? I do not know, but perhaps I have misunderstood his intervention.

Jonathan Edwards: The organised hunts know no boundaries.

Victoria Atkins: I will move on, however, because I would love to hear from the hon. Gentleman.

Jonathan Edwards: Over the recent bank holiday weekend, an illegal rave was held in Brechfa forest in my constituency. More than 1,400 people descended on the small village of Brechfa and into the forest to hold the rave, causing huge disruption for local residents. Will the Minister look at what extra powers can be given to the police to chase the organisers of illegal raves and to act as more of a deterrent to stop such events happening in future?

Victoria Atkins: That is very interesting. I am looking at the Solicitor General. If I remember correctly, the Criminal Justice and Public Order Act 1994 introduced measures to deal with organisers of illegal raves. Perhaps the hon. Gentleman could write to me and I will provide an accurate response.

Chris Davies (Brecon and Radnorshire) (Con): On cross-border matters, does the Minister agree that sometimes the issue is not the money going to police forces, but the co-operation between them in seeing matters through? That causes great problems for constituencies such as mine, which is on the border of three or four different police forces.

Victoria Atkins: My hon. Friend makes a very important point, which I will move on to in due course. The shadow Minister mentioned the impact of county line criminality on rural areas, and I am pleased she did so, because we are both determined to tackle it. That is precisely why the Government have announced, through the serious violence strategy, £3.5 million of funding to bring about a national co-ordination centre to share knowledge and expertise among police forces, particularly in those areas whose experience of gangs is perhaps not to the same extent as that in urban areas, so that they learn not from scratch but from colleagues elsewhere in the country.

The theft of farm equipment can have a devastating impact on farmers. I had the pleasure recently of driving a tractor worth £350,000 in my constituency. I was slightly surprised when the farmer allowed me to reverse it, but it remains intact. What if that equipment is stolen? That small business person has made an enormous investment and may well have taken out loans to pay it off. That theft would be a crime committed against them, their family, their business and their local community. Rural constabularies are aware of such issues.

The hon. Member for Sheffield, Heeley raised the issue of police funding. We understand the wish that rural communities are not disadvantaged in the delivery or quality of public services to tackle crime. The Government are committed to providing police forces in England and Wales with the resources they need to
do their crucial work. I must, however, set the issue in context. The hon. Lady knows that I only do this when she talks at length about funding. The reason the Government had to make such tough spending decisions after the 2010 election was the economic legacy of the previous Labour Government and the global financial crisis. If we are going to have a good, productive debate, we must remember the historical context in which we were operating.

We have absolutely recognised the resources the police need. That is precisely why in 2015 the then Home Secretary insisted in the spending review that the Government protected overall police funding in real terms, and we have done so since. We have also increased our investment to support police transformation and technology, so that our police can respond to the changing nature of crime.

**Giles Watling:** Will my hon. Friend celebrate the fact that we have succeeded in getting thousands of police out from doing useless paperwork in back offices and back on the frontline of policing?

**Victoria Atkins:** My hon. Friend raises a very important point. One of the challenges to the police over the past few years has been to get warranted officers, who hold positions of responsibility after we have given them their warrant and training, to use their powers and specialist skills in accordance with their warrant. I am delighted that the figures show that constabularies across the country have made extraordinary improvements in using warranted officers in frontline policing. That means more officers on the beat or investigating crime, doing the job they signed up to do, rather than sitting in human resources departments and so on.

**Sir Edward Leigh (Gainsborough) (Con):** My hon. Friend is absolutely right. At my last meeting of the rural crime commissioners, we were very encouraged that the Government had increased the police grant by £130 million. I am delighted that most police and crime commissioners have accepted the Government’s challenge to make that change to their policing precept and are consequently able to decide for themselves how that money is best spent in their local area.

**Victoria Atkins:** I am very grateful to my hon. Friend and constituency neighbour for raising that point. I challenge to make that change to their policing precept and are consequently able to decide for themselves how that money is best spent in their local area.

**Simon Hart** (Carmarthen West and South Pembrokeshire) (Con): It is very welcome that new technology is used in that way, but does the Minister accept that some technological improvements are dependent on decent wi-fi, mobile phones and broadband connections, which in rural areas are not yet quite where they need to be?

**Victoria Atkins:** My hon. Friend knows, as I do—it was my first ever campaign as a candidate—that the challenge of improving broadband in rural areas is always there. By and large, more urban areas have excellent coverage, although there are blackspots. The Department for Digital, Culture, Media and Sport has announced a scheme whereby we can use some technology at parish churches, and the Secretary of State for Environment, Food and Rural Affairs has a keen interest in the issue and is acting accordingly.

Let me turn to funding. We have continued to listen to the police. Last year, my right hon. Friend the Minister for Policing and the Fire Service spoke to every police force in England and Wales about the changing demands on the police and how they could best be managed. We have acted on the basis of that consultation and announced an increase in overall investment in the police of £460 million from April for this financial year. That includes a £50 million increase in counter-terrorism funding, and it enables police and crime commissioners to raise up to £280 million of local funding through council tax, protecting the police grant in cash terms and increasing funding for national priorities by £130 million. I am delighted that most police and crime commissioners have accepted the Government’s challenge to make that change to their policing precept and are consequently able to decide for themselves how that money is best spent in their local area.

**Sir Edward Leigh (Gainsborough) (Con):** My hon. Friend is right to make the point that there is no such thing as Government money, only taxpayers’ money, but my constituents in Lincolnshire, and hers, think that although it is okay to talk in these overall terms, there is a fundamental unfairness against council tax payers in rural areas, in terms of the services that we receive—our policing, NHS and broadband. We pay far more in council tax and get infinitely less than people get in urban areas. The Government have to grasp the nettle and get fairer funding for rural areas.

**Victoria Atkins:** I am very grateful to my hon. Friend and constituency neighbour for raising that point. I extend that challenge to Opposition Members. If they are able to find themselves in a position where they can look at fairer funding and how it may have an impact on rural areas, I am sure that is something we would be content to consider.

Taken together, public investment in policing has grown from £11.9 billion in 2015-16 to £13 billion in this financial year.
Ruth George: The Minister was making the point that this is taxpayers’ money. It absolutely is, but the decimation of police forces like mine in Derbyshire, which has seen 26% cuts to its funding over seven years, has meant that it does not have the capacity to prevent county lines crimes and the sort of retail crime that saw small shops in my constituency lose £100,000 last year from their tills. That is hitting them in their pockets. My taxpayers say they would rather pay a little bit extra tax, get a decent police force and not lose out through crime.

Victoria Atkins: I wonder, then, if the hon. Lady could help with the fact that her constabulary, as of March last year, had reserves of £32.2 million—20% of funding. It may be that the police and crime commissioner has plans for how those reserves are to be spent, but that is a decision for the PCC. We need to be careful. The whole point of police and crime commissioners is that they are democratically accountable to local people. They are elected by local people to set policing priorities. Decisions on how money is spent must be made by local police and crime commissioners. We gave those powers to police and crime commissioners precisely because we thought it was better for local people to make those decisions, working together with chief constables, rather than bureaucrats in Whitehall trying to decide policing priorities across the country.

As I said, taken together, public investment in policing has grown from £11.9 billion in 2015-16 to £13 billion in this financial year. My right hon. Friend the Home Secretary has made it clear that he will prioritise police funding at the next spending review, again demonstrating this Government’s commitment to providing the police with the resources they need.

Community policing is obviously very important in our rural areas.

Alex Sobel (Leeds North West) (Lab/Co-op): There is a lot of talk about rural areas. Geographically, over half of my constituency is rural and we have rural crime, such as fly-tipping and the theft of agricultural equipment. The West Yorkshire police and crime commissioner is perceived as being an urban PCC. Does the Minister accept that even in supposedly urban areas there are large numbers of rural crimes?

Victoria Atkins: Absolutely. I do not claim there are boundaries when it comes to criminal behaviour. Indeed, we have heard from across the House how some criminals deliberately exploit county and constabulary boundaries, because they hope that that will cause investigations and so on to be more difficult for the police. We are very clear that we need the police to work together better. In fairness, I think they are doing that. There have been huge changes in the way police forces talk to each other and share information. On county lines for example, there is a great deal of work going on to co-ordinate and share intelligence, and we see this with the regional organised crime units.

The reformed policing landscape and the introduction of police and crime commissioners by the Government has supported community policing. We have enabled police and crime commissioners to work with local people to set priorities for their areas. They are the ones best placed to make decisions with their communities, rural or urban, based on their local knowledge and expertise.

The National Police Chiefs’ Council is also transforming its role and presence in dealing with rural crime. The NPCC recently published its rural affairs strategy, which, following a period of consultation with rural stakeholders, sets out operational and organisational policing priorities in respect of tackling crimes that particularly affect rural areas.

The strategy recognises that rural areas experience the range of crimes faced in our urban areas—the threat of modern slavery, for example—and also identifies specific rural threats, including poaching, fuel theft, theft of farm machinery and types of antisocial behaviour such as fly-tipping. We welcome that strategy.

Susan Elan Jones: Does the Minister accept that speeding on rural roads is an horrific problem? Is there anything in the strategy on that, because it really is devastating at the moment?

Victoria Atkins: That is precisely the sort of issue that we as constituency MPs can help with—by helping PCCs, police chiefs and councils to identify areas where speeding is a problem. My constituency has, I estimate, about 100 metres of dual carriageway; the rest is single carriageway across 531 square miles, so sadly we are particularly aware of the dangers of speeding on rural lanes. It is one of the challenges that the police face in the most rural areas. I encourage colleagues across the House to engage with their councils and PCCs on that issue if they feel there is a particular need in parts of their constituencies.

Home Office officials have met the national police lead and discussed with them the approach in the NPCC strategy. It is intended that the strategy will support safer rural communities and a better rural focus on policing. Yesterday, the Policing Minister met the National Farmers Union and colleagues on the all-party group on rural crime to discuss the crime affecting rural areas. We take crime in rural areas very seriously. We know that the methods used by criminals are constantly evolving and recognise the importance of staying one step ahead, which is why we are encouraging the police to innovate and transform how they investigate.

We have recently published the serious violence strategy, which targets the drivers behind the recent increases in serious violence. This might be thought a largely urban concern, but such a belief is misplaced. With county lines, we see urban gangs exploit children and young people and spread their evil business across the country, including into rural and coastal areas. It is important that rural communities understand and respond to this threat, which is precisely what we want to achieve through the new strategy.

I will conclude by returning to my constituency and perhaps inviting yet more people to visit my beautiful rural part of the country—

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (David Rutley): Don’t forget Cheshire.

Victoria Atkins: My hon. Friend will get his chance.

As the crime Minister, I think constantly about what crime means for my constituents and the consequences and impact on them. We take rural concerns about crime and policing very seriously and understand the great importance of ensuring that rural communities
are taken properly into account in all the action we take to tackle crime. We thank each and every police officer and police community support officer for the work they do in our rural areas.

4.48 pm

Peter Grant (Glenrothes) (SNP): I am pleased to speak in this debate. I appreciate that a lot of the things being discussed today are devolved and that therefore much of the detail is unfamiliar to me and does not apply in Scotland, but I hope that I might make one or two comments about the experience in Scotland and that Members might notice some things that are the same and some that are different and perhaps think about why they might be different.

I find it a bit surprising that we are having a three-hour debate on rural crime. When, according to the Minister, rural crime does not exist, and that we are having a debate that appears to be all about policing, despite the fact that the motion does not mention policing at all. There are lots of things about how this place operates that I never expect, or indeed hope, to be able to understand.

It is difficult to know the actual level of crime in either urban or rural areas. It is accepted, including by the police, that a lot of crime goes unreported. We reckon that in Scotland about 30% to 40% of crime is never reported or recorded; for some relatively minor crimes, the figure is much higher. The Scottish crime and justice survey, which asks a large sample of people every year what has happened to them that year, gives more reliable figures.

The survey showed that, between 2008-9 and 2016-17, the number of adults reporting that they had been victims of crime fell by more than a third. The reduction in England and Wales was about the same, although the figures are not exactly comparable. That is important because it tells us that, although the level of crime is still too high and there are still people who genuinely live with the concern and even the fear of crime, it is not as big a problem as some would have us believe.

Something that I found surprising when I was told about it—and it still keeps popping up—is that older people are much less likely to become victims of crime than younger folk. I think that there is a question to be asked about the fear of crime. There are people who make it their business to make old people scared of it, but all the evidence, both from reported crimes and from comments made by people after they have been victims of crime, suggests that they are less likely to be victims.

Stephanie Peacock (Barnsley East) (Lab): In South Yorkshire, the number of insurance claims for rural crime has increased by 54% in a year, so it is clearly an issue. A number of constituents have come to my surgeries to report thefts of farm equipment and antisocial behaviour. A group of 500 Barnsley residents have come together because they are concerned about nightly antisocial behaviour. This is very much an issue for my constituents.

Peter Grant: I do not doubt that at all. Indeed, I am about to say something about crimes committed in rural areas. First, there is the problem of definition: how do we decide what is rural and what is not? I would never consider myself to represent a rural constituency, and I would not be considered to do so in the House, but about 3,000 of my constituents undeniably live in rural areas, and probably another 5,000 live in villages and towns that are so small that, while their residents experience many of the benefits of living in small isolated communities, they also experience many of the challenges.
stakeholders. In its first full year of operation, recorded rural crime in Scotland fell by 21%. I said earlier that recorded crime figures came with a lot of caveats, but during the same period, NFU Mutual reported a 32% reduction in a single year. This is perhaps not the place to go into detail about what might be done well in Scotland that could be copied or examined in other parts of the United Kingdom, but I simply read those figures to indicate that although people living in rural areas and rural businesses, as the Minister referred to—

Mr John Hayes (South Holland and The Deepings) (Con): Will the hon. Gentleman give way?

Peter Grant: I will just finish this point. There is no doubt that, when a rural business has a piece of plant stolen that cost it a quarter of a million pounds, it is a massive blow to it, but there are ways—by sharing information and working across constabulary borders and national borders, if possible—in which, if everybody who wants to stop crime co-ordinates themselves as effectively as the criminals sometimes do, we can start to see an end to this, or at least a significant improvement in crime figures, both rural and urban.

Mr John Hayes: I am enjoying the hon. Gentleman’s speech—it is like a poorly signposted ramble through the Trossachs—but if he is right that much crime is under-reported, does he acknowledge that what may be happening in rural areas is this? Because tolerance of petty disorder and petty crime has risen, many crimes take place irrespective of the effect on their victims, because the victims know that nothing will be done about them so they do not bother to report them.

Peter Grant: I cannot comment on that. Scotland is regularly surveyed on public attitudes to policing, and generally speaking, the public have a high degree of confidence in the police and their ability to deal with crime and clear it up. It is not enough—there is not 100% confidence yet, and that has to be the target.

From my first days as a councillor 25 years ago, what I have always recommended to my constituents is that there is no such thing as a crime that is too minor to report, because a lot of policing is intelligence-based and trend-based. In the policing model that is used in Scotland, it may be that a similar incident that is reported five or six times will not get a heavy response, but it will eventually trigger a very significant response of the kind that puts a large police presence into the area very quickly. It would be nice if we could get a blue-light response every time somebody phones the police, but that is simply not realistic.

I want to make a few comments on some of the exchanges that I listened to with great interest about the way in which the police service in England and Wales is set up, the way it is managed nationally and locally and the way it is funded. With all due respect, it seems to me that it is a complete and utter mess. I am not convinced that people in any part of England or Wales understand what they are paying for the police force, why they are paying that amount and not a wee bit more or a wee bit less, what they do if they want to pay a bit more to get a better service, or how they can influence the provision of their service.

I cannot understand why people who are sitting in here should take the majority of decisions about how much police funding is needed in Lincolnshire, Cornwall or Lancashire. Surely the people there know their needs better than any of us down here, with the possible exceptions of the hon. Members who represent those particular counties. Since I was elected, I have been struck by the fact that, for its size and diversity, England is a ridiculously centralised place as far as government is concerned. I do not say that meaning to be offensive or to insult anybody. I simply cannot see how local services can be effectively delivered across such a big and diverse country as England when decisions are so centralised in one place. It is bound to mean that a lot of time is spent by MPs from different parts of the country fighting about who gets a bigger share of the cake, when the problem is that the cake is far too wee to begin with.

At the end of the day, it does not benefit any of us if we move some resources from one county to another and a reduction in crime in one part of England is matched by an increase in crime in another. It is much better if we can find ways to resource the police properly, if it is quite clear that they are not properly resourced, and to make sure that crime levels can be driven down across the whole country.

I found the early part of the debate very interesting. It has been an eye-opener to me to hear about the way that local services—particularly the police service—are being delivered in a country that, in so many ways, is an example to the rest of the world. Is it fit for purpose? That is not for me to say, and not because I do not believe in politicians from one country telling other people how to run their country. But I invite Members who represent constituencies in England and Wales to ask themselves the hard question: is the way the police service is set up fit for the 21st century? If not, potentially, there are difficult decisions to be taken.

I will be happy after the debate to give more details about how the police service is set up in Scotland. It is not perfect. There are problems. The new national service has some teething problems and there are things people do not like as much as what they had before, but the fact is that, by almost any measure, public confidence in the police remains high. People’s feeling of being safe is as high as it has been for a great number of years.

Three quarters of people in Scotland feel safe walking home alone after dark. It would be nicer if it were 100%, but I was surprised that it is as high as 75%.

There are ways that our respective national Governments can learn from each other about the way we manage and provide public services. I sincerely suggest that Members here with responsibility for policing look at some of the changes that have happened north of the border over the last few years. They were not always easy or popular, but some of what has happened there might give an indication as to changes that could be implemented for the benefit of the 50 million-plus people—there are another 3 million or 4 million people in Wales—who deserve the best police service that can possibly be provided for them.

Several hon. Members rose—

Madam Deputy Speaker (Dame Rosie Winterton): Order. I would prefer not to impose a time limit, and if colleagues stick to about eight minutes we should be able to get everybody in without one.
5.1 pm

James Cartlidge (South Suffolk) (Con): I am unaccustomed to being called this early in a debate; it is something of an inversion of the norm.

First, I want to respond to the hon. Member for Glenrothes (Peter Grant), as it takes a brass neck for the SNP Front-Bench spokesman to complain about the over-centralisation of this country when it is a system that massively benefits his constituents, and in particular his party as it does not have to make the tough decisions we face in other parts of the country. My hon. Friend the Member for Gainsborough (Sir Edward Leigh) was absolutely right: my constituents are net contributors, whereas those of the hon. Member for Glenrothes are net recipients. That is a great unfairness, and I would prefer it if his party recognised that now and again. But I am going to move on to the subject in hand.

As an MP for a rural constituency, I am particularly concerned about this subject and I welcome the fact that Her Majesty’s Opposition have tabled this motion. I last spoke on the subject in the final stages of the Assualts on Emergency Workers (Offences) Bill—the Bill of the hon. Member for Rhondda (Chris Bryant)—on Friday 27 April. I said that I was concerned that we seemed to be living in more violent times, and that comment then unexpectedly appeared all over the local radio and newspapers because many of my constituents share that sense.

This debate is not about the sort of stats we bandy across the House in political fashion: this is about the experience of recent months in South Suffolk, where we have unquestionably had a spate of serious incidents. In the last week in Sudbury, the main town in my constituency, there was a very violent rape, for which I am glad to say there has been an arrest of an individual today by the police in Sudbury. I pay tribute to them, because at the same time as they have been investigating that crime, police in our part of the world have been focused on a very serious murder in Ipswich, of a 17-year-old, which was raised by my constituency neighbour the hon. Member for Ipswich (Sandy Martin) at Prime Minister’s questions today. The sense of greater violence is therefore impossible to escape, and is, I am afraid, borne out by the figures for Suffolk: there has been a 29% increase in violent crime in Suffolk in the year to September 2017.

The context of this, however, is an overall fall in recorded crime in the independent crime survey for England and Wales of 38% since 2010. That is a very large decrease in overall crime, and it has occurred at a time when, because of the funding pressures we were under—because of the deficit we inherited—we have seen significant reductions in police numbers; I would be the first to accept that.

But this is the thing: if we have seen such a fall in crime when police numbers have been falling, it cannot simply be the case that police numbers are the sole determinant of the level of crime. This spike in violence, which has been seen in other parts of the country too, is a relatively recent phenomenon, and I want us to move away from these political brickbats about how many police stations have been closed—I should point out that some 400 police stations were closed between 1997 and 2007. Instead, we should try to understand why we are seeing this change. I want to try to understand some of those causal factors in my brief remarks.

Mr John Hayes: My hon. Friend is right to say that police numbers are not the sole determinant of a rise or fall in crime, but they must be a determinant. In Lincolnshire, fundamental flaws in the funding formula have left us short of funds, and that makes it very difficult for my excellent local police force to respond to crimes of the kind that he has just described.

James Cartlidge: I thank my right hon. Friend for that intervention. The way I would put it—which is kind of what he is saying—is that the fall in numbers does not, of itself, drive the social behaviours that cause a change in crime, but clearly, in an ideal world, we would have more officers to deal with it. It is a question of how we respond to the situation.

In terms of the primary causal factors, lots of hon. Members have talked about the county lines crime phenomenon, which was on the front page of The Sunday Times as recently as 6 May. It is a real problem not only in Suffolk but right across the country. The statistics show that 85% of police forces across England and Wales are dealing with county lines, and that 80% of those cases involve children. This is a serious crime phenomenon, and the growth in county lines, which involves increasing violence, leads to the spread of drug crime, knife crime and other associated crime.

There is another factor, which I find potentially the most interesting. I was at the Suffolk show recently, and I was talking to the chief constable. I asked him why he thought there had been this change in behaviour, and he said that social media were a really important factor because the videos and other media that are shared by the young people in gangs are being used to goad them. The gangs are goading each other into more violent behaviour in a competitive fashion. That is the type of behaviour that we see in the very worst crime areas such as Mexico, which has a terrible murder rate. The reason that crime escalates in such areas is that more violence is used to mark out and defend territory. We are seeing gang violence worsening here because the gangs are becoming competitive, and social media drive that competition because the videos—which, according to my chief constable, are often of very high quality—are being used to brag and to goad.

I do not pretend to have the answer on the social media issue, but I believe that the companies providing the media—they are private companies—have a social responsibility to involve themselves in this. I fundamentally believe that the primary responsibility of the Government is the defence of the realm, at home and abroad, and if the media companies will not get involved, we will have to start talking about the defence of the virtual realm. We cannot have any no-go areas in crime; we do not want them in a physical sense, and we cannot have them in a virtual sense either. I for one would support more powers to ensure that social media companies took action on these kinds of videos to ensure that they are not shown, not displayed and do not incite greater gang violence.

I also want to talk about funding. As my right hon. Friend the Member for South Holland and The Deepings (Mr Hayes) said, police numbers may not directly cause the changes in crime rates, but we need the officers in place if we are to resource our forces to deal with the changing patterns of crime. There are two elements involved: national funding and local funding. On national

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funding. I recently tabled a written question to the Home Secretary asking him what assessment he had made of the different costs involved in policing rural and urban areas. The answer from the Home Office was that it had made no such study and that there was no such information. I believe that rural MPs should be engaging with local stakeholders such as the National Farmers Union and possibly the Country Land and Business Association to look into the hard stats and the evidence. If we want to go to a Government Department and ask for a change in the spending formula to favour our local area—or rural areas more broadly—we have to have the evidence to show that we need that extra funding. A study of the cost of rurality in policing would be very welcome, and I would certainly support one.

My last key point is about local funding. I disagree with Opposition Members on this point. I strongly support the use of the precept to fund the police, for the simple reason that it is a guarantee that the money will be spent in our county. If we increase the precept to fund the police in Suffolk, it might cost more than an increase in central taxation that people would not necessarily notice, but every pound will be spent in the county on the Suffolk constabulary. I want to see more of that, and I would go further. I would like to see more of what I call parish policing, where parishes—or perhaps groups of parishes in electoral wards—would have the opportunity to fund their own police community support officers. This is where we must be realistic about rural crime. When the police in Suffolk deal with a major incident, such as the stabbing we had in Ipswich, or when we have the threat of terrorism, it is unrealistic to expect the force to prioritise shed theft or the theft of tractors at the same time, no matter how many officers we have. If we increase the precept to fund the police, for the Opposition Members on this point. I strongly support one.

Mrs Kemi Badenoch (Saffron Walden) (Con): Does my hon. Friend agree that many of our constituents have requested the ability to pay more specifically for local policing? Constituents have written to me to say that if the Treasury could not fund it, they would happily pay extra.

James Cartlidge: Absolutely. I will finish by saying that the local funding formula means that funding is transparent—people will know that the money will be spent in their county. We should still look at the national formula, but the model of elected police and crime commissioners being responsible for the money raised locally in a clear and transparent fashion is the right one, and we should use it to get more officers on the beat, providing greater security and comfort to our constituents.

5.11 pm

Rosie Duffield (Canterbury) (Lab): Despite having two towns, the majority of my beautiful constituency is rural, meaning that my constituents are increasingly on the receiving end of rural crime. Nationally, fly-tipping has increased by 7%, becoming something of an epidemic in rural areas. In 2016, agricultural vehicle theft cost farmers and others working in rural industry £5.4 million. It is likely that that increased in 2017 and in the first quarter of this year, which is simply unacceptable. How long will the Government stand by, slashing our police force funding and leaving my constituents to pick up the pieces and pay themselves for the damage caused to their livelihoods?

My constituency is in Kent, which is the fifth-worst affected area for rural crime. Sadly, that is not a surprise. The Government have cut 532 police officers and 104 police community support officers in Kent, while simultaneously never promising us that they will be tough on crime. To be honest, the myth of the Tories being tough on crime has been long since busted, and probably no one living in Kent believes it to be true anymore. These days, “tough on crime” is just about as untrue a Conservative adage as “strong and stable”.

The truth is that due to the shocking austerity measures imposed on Kent’s police since 2010 not only are our towns and high streets more vulnerable, but so are our rural lanes, our quiet villages and our previously idyllic hamlets. All those places have seen a huge rise in fly-tipping, littering and nuisance crime. Kent police has launched the Country Eye app, through which members of rural communities can share information on crime and suspicious behaviour. While I of course commend the effort and thought behind the initiative, it is a sad indictment of the state of police funding that communities are expected to shoulder the responsibility to deal with problems themselves. An app and volunteers should supplement adequately resourced police forces, not simply replace them.

I recently had another meeting with the National Farmers Union, an organisation comprising over 55,000 members, and it shares my constituent farmers’ concerns about livelihood-destroying crime. Farmers are paying for the damage to their equipment; they are rebuying livestock; they are paying to clear waste that
has been dumped on their land; and they are paying for installing expensive CCTV camera systems. They cannot afford it.

I am standing up for Canterbury and for Kent by saying that enough is enough. When will this Government start taking seriously the concerns of farmers and those who live in rural areas? More than 9 million people live in rural areas, and agriculture contributes around £24 billion to the UK economy, yet rural crime continues to be ignored and the issue has been sidelined again and again. Why? The Government admit there is a problem, so they therefore admit the entire austerity agenda is flawed.

Although we need to be clear that rural crime predominantly affects farmers and agricultural workers, it is also a question of animal rights. This country has a moral duty to uphold high animal welfare standards. From foxhunting to badger baiting, we are neglecting our responsibility to protect our animals and wildlife. Although foxhunting remains illegal and polling suggests that 85% of the British people are opposed to making it legal again, we know foxhunting is still widely practised in Kent and other areas.

Just last year, shocking online footage showed two fox cubs being taken into a kennel and being brought out dead. This so-called “sport” is a savage exercise in bloodlust, and it must be properly policed. Equally, we see badgers being sold on the black market by criminal groups for as much as £700, often for badger baiting. The chief inspector of the RSPCA special operations unit recently spoke about the effect of this exercise on dogs:

“Because the criminals can’t go to a vet, they self-medicate: they patch the dogs up with drugs bought from the internet. Eventually the flesh of the jaw may fall away. We’ve seen dogs with their faces destroyed by these fights.”

It is clear that badger baiting is not only cruel to the badgers themselves but is detrimental to dogs’ health and wellbeing. Despite the clear brutality, the Government fail to act or police it properly.

Instead of listening to those with expertise in animal welfare and providing funding for police forces to enforce existing laws, the Government lazily abdicate their responsibilities. I suggest they look at Labour’s plan for animal welfare, which pledges to strengthen the Hunting Act 2004 and to look at ways to close existing loopholes that allow for cruel illegal hunting to take place in rural areas.

Rural crime is not just an economic issue of people’s livelihoods; it is a moral issue. I am sure the Government will agree that more action needs to be taken to ensure that rural communities are protected and our animals are not subjected to such terrible cruelty.

5.17 pm

Dr Caroline Johnson (Sleaford and North Hykeham) (Con): I thank the hon. Member for Sheffield, Heeley (Louise Haigh) for introducing this debate, the subject of which is important to me and my constituents. In fact, I am the chair of the all-party parliamentary group on rural crime. Coincidentally, we had a meeting last night at which we discussed a number of topics, such as the theft of heating oil and diesel, the benefit of drones—drones have already saved lives in Lincolnshire and elsewhere—the use of WhatsApp groups in policing rural areas, the theft of rural machinery, the fear of isolation among those living in isolated areas, and the National Police Chiefs Council rural and wildlife crime strategies, as described by the Minister. I invite Opposition Members, as well as any more Conservative Members who wish to join, to come along and join our APPG so we can tackle rural crime together.

One of the main areas of discussion yesterday evening was hare coursing, a cruel crime in which lurcher-style dogs chase after a hare. Often there are bets on which dog will catch the hare first, as part of which gangs of mostly men in 4x4s and other heavy vehicles trajpe across farmers’ land in pursuit of the animals to make sure they see which dog catches the hare in order to secure the bet.

Hare coursing is a disgusting crime, and it has a huge impact on farmers that is not well understood. Some who see the tyre tracks going across fields and the torn up crops might not think it important, but it is important. The farmer has invested in those crops, which they have nurtured to provide that year’s income for their family. The crime is essentially the same as going into John Lewis, or a similar store, on Oxford Street and destroying every item of merchandise, and then preventing the shop from restocking for the next 12 months. This is a serious crime, which has a huge impact economically and on a farmer’s lifestyle. I should mention at this point that although I have not been a victim of hare coursing crime, my husband is a farmer.

Hare coursing is not just a criminal pastime, but a pastime of criminals. One thing Lincolnshire’s police and crime commissioner has made clear to me is that the vast majority of the people the police catch for this crime come not from Lincolnshire, but from elsewhere. They have come across county lines to commit crime in Lincolnshire, perhaps because they feel it gives them the best chance of not being caught. It is fear of being caught that will stop them doing these things.

Sir Edward Leigh: There is hope, because our PCC is making huge strides by using drones. It is important in these debates that we are not miserable the whole time. There are technological ways in which we can combat crime with great success.

Dr Johnson: My hon. Friend is right, and I shall come on to discuss that shortly.

The crime of hare coursing also involves a fear of violence, because when farmers catch these people many of them threaten the farmer with violence then and there. Sometimes when the crime is reported to the police the farmer is threatened with having their sheds burned down. In some cases pets or livestock have been injured deliberately to try to frighten farmers into not reporting the crime or not pursuing a prosecution for it. Once prosecution occurs, we encounter an issue with sentencing, as it does not reflect the severity of this crime, with an average fine of £250.

Mr John Hayes: My hon. Friend is making a vigorous and effective case on hare coursing in Lincolnshire. She knows that our PCC, Marc Jones, and our chief constable, Will Skelly, have done pioneering work to counter this activity, with good effect. Will she join me in asking those on the Treasury Bench to examine the whole matter of sentencing, as there is a good case for having
a specific offence related to hare coursing, so that once the police do their job, the courts will back them up and encourage them to do still more?

Dr Johnson: I thank my right hon. Friend for that important intervention. He rightly says that the fines are not proportionate, and indeed our next all-party group meeting will be with the Solicitor General to discuss the impacts of sentencing on rural crime. The dogs themselves can be worth very much more than £250 and some of the bets are for £10,000 or more. My right hon. Friend makes reference to Operation Galileo, a Lincolnshire police initiative masterminded by Bill Skelly and Marc Jones, our Conservative PCC. It has had great success in Lincolnshire, with the number of incidents having gone down from 2,000 to 1,400. The police credit that 600 fall to two initiatives, the first of which is the institution of criminal behaviour orders, whereby people convicted of hare coursing are no longer allowed to be in a vehicle and in possession of a lurcher-style dog, or in the company of others with such an animal, in Lincolnshire. However, Lincolnshire police can catch these people but they can then go to Cambridgeshire or North Yorkshire to do the same thing. I therefore ask the Minister to consider the possibility of allowing courts to impose such an order covering a wider geographical area, so that the Cambridgeshire police do not then have to catch these people, then the North Yorkshire police have to do the same, and so on. These orders could apply in other areas as soon as someone has been caught once.

The main initiative that has brought about the success is the seizing of dogs, because, as I say, the dog is what is valuable to these criminals. Taking the dog from them means they are not able to pursue their crime; these dogs are trained to do what they are doing. Tackling the crime is expensive; we have seen the crime fall in Lincolnshire, but I understand from our PCC that dog kennelling fees have cost £46,000 this year. There is currently no provision in law to reclaim that money from the criminal once they have been prosecuted, so I ask the Minister to consider whether he can add a clause into law that would allow the kennelling fees to be reclaimed from the criminal after their conviction. That would be only fair and reasonable.

In her opening speech, the Minister mentioned that there was no definition of rural crime, but police tell me that intelligence and evidence-based policing is hampered by the fact that they do not have some of the data that they need. I therefore ask her to consider better and more detailed recording of crime—heating oil theft and hare coursing are not always specifically recorded—so that we can identify where these crimes are taking place and target them much more effectively.

The hon. Member for Sheffield, Heeley (Louise Haigh) mentioned fear. Nobody should experience fear in their own home. People have a right to feel safe as well as to be safe. In an isolated setting, however, it is perhaps understandable that people do not always feel that way. If a person is attacked in their flat, or if someone comes into their home, or they feel unsafe, they can scream, run outside and seek help relatively quickly. If someone is in an isolated rural farmhouse, more than a mile from the nearest property, it is understandable that the response time from the police and from any member of the public will be much slower. That would leave them feeling much more isolated.

I have great admiration for the work of Lincolnshire police, especially the way that they police a large geographical area, with 6,000 miles of road and a widely dispersed population. It is a credit to them that our crime level is among the lowest in the entire country, but money is an issue. Lincolnshire police has one of the lowest levels of funding in the country. I understand the point that there is only so much money and that it has to be shared out somehow, but we receive the least amount of funding for a service that is more difficult and more expensive to deliver because of the area that the police have to cover. Moreover, a particularly high proportion of our money is funded locally. I agree with my hon. Friends who have said that it is reasonable for some of the money to come from local sources as it is directed back locally, and for some of it to come from central Government grant. However, at the moment, there are areas of the country, particularly urban areas, where the local population is being asked to contribute around 25% of the money that is used for the overall policing budget in their area, and yet in Lincolnshire, it is 43%, and I understand that in North Yorkshire it is closer to 50%. We need greater fairness. I welcome the fact that the Government are looking into how we can make police funding much fairer in the future, and I will be happy to support them in doing so.

5.27 pm

Susan Elan Jones (Clwyd South) (Lab): It is a great pleasure to follow the very thoughtful speech of the hon. Member for Sleaford and North Hykeham (Dr Johnson) and the other very thoughtful speeches in this debate. I very much welcome the fact that our Opposition Front-Bench team has chosen to hold this debate on rural crime and public services. Those of us who represent rural constituencies welcome the fact that many people view our communities in very glowing terms. We all know about the green and pleasant land, the apple tree in Linden Lea and so on, and our communities are all of those things—plus we also have a good few mountains in North Wales for good measure—but, like every other community, they have problems. They also have problems that are unique because of their rurality.

I was pleased to hear the emphasis in this debate on criminality pure and simple when it comes to animal cruelty. These cases are truly horrific—whether it is hare coursing or badger baiting. Let us be absolutely clear on this: this is not some gentle historical relic of the past of some rural sport and the like; it is criminal behaviour, pure and simple. The people who perpetuate these evil practices deserve to have the strong arm of the law used against them.

Giles Watling: Would the hon. Lady not include in that abandoning horses in fields to starve? That happens in my area. It is not only criminality, but sheer ignorance as well.

Susan Elan Jones: Yes, I agree wholeheartedly with the hon. Gentleman; it is animal abuse, it is cruelty and it needs to be stamped out. The punishment needs to fit the crime in those areas.

A couple of years ago I held an Adjournment debate in this House on rural crime, in which I highlighted the work of a local initiative—a rural crime mapping scheme—in the wards of Ewlesham and Ponciau in my
We need to be aware that car occupants and motorcyclists are twice as likely to die on a rural road as on an urban one. For cyclists, it is three times as much. The road safety charity Brake found, in a Brake and Digby Brown survey, that 33% of drivers admit to driving too fast on country roads, 19% admit breaking speed limits on country roads, 37% have had a near miss on country roads and 72% support lower speed limits.

I would like to end with a specific plea. More motorcyclists have died in north Wales so far this year—eight people—than in all of 2017. This is a sad feature not just of north Wales but of some other rural areas too. This week, North Wales police released details of an anonymous call where a man's partner called them and begged them to arrest her speeding biker boyfriend over fears that he would die on the roads. North Wales police released the transcript of this anonymous call. The woman told them:

"My partner is a biker and is visiting north Wales this weekend and already boasting that he will be doing over a ton whenever he can. I know where they are starting from. Please, please try and find and stop them. We have children and I would rather him banned or in jail than dead. I am sorry to put this on you as I know you are already overworked."

It is time we brought in proper speeding bans, time we funded more police to watch over our rural roads, and time we took the issue of speeding seriously. I really hope that this will become a much bigger issue in years to come and that the Government will act.

Ruth George: Does my hon. Friend agree that the lack of funding for safety measures on our roads is contributing to the increase in speeding? In Derbyshire, for example, an area has to have seen seven personal injury accidents within three years before the authority will even look at considering safety improvements on the road. Does she agree that that is contributing to the problem?

Susan Elan Jones: I agree with every word my hon. Friend said.

Let me give a couple of examples. In north Wales, a biker was recently clocked doing 138 mph on the single-lane carriageway A5. For that he got fines, plus a grand total of a 56-day driving ban. Chillingly, a newspaper report spoke of a man's partner calling police over fears that he would die on the roads. North Wales police employed 160 officers for neighbourhood policing and 254 police community support officers. Last year that figure fell to 90 police officers and just 148 police community support officers. That is a worry. Now, we know that there is technology and we welcome new technology—none of us is advocating the return to a sort of era of “Dixon of Dock Green”—but we do recognise that neighbourhood policing is vital if we are serious about tackling crime in our rural communities.

There are many aspects to rural crime, but today I will stick to just one: the issue of speeding on our rural roads, which I asked the Minister about earlier. Many of us are very concerned about the extent of speeding now. We need a major clampdown on speeding and, yes, a justice system that is prepared to be serious in its use of driving bans—something that is not happening to the right degree today.
they had had with antisocial behaviour. So it can be done. Considering the resources that are available, the team do an outstanding job.

That brings me to the issue of resources. I will concede that there is funding pressure on our police. That would be my No. 1 priority for additional investment as our national finances stabilise, and I welcome the comments made by the Home Secretary in his Andrew Marr interview at the weekend. However, I find it well-nigh unbelievable that Labour Members show such collective amnesia as to why we are in the current situation regarding our public finances. The ruinous state that we inherited in 2010, which they—[Interrupt.] They look down. They look at their phones. They look anywhere other than at the truth of the matter, which is—[Interrupt.] The truth of the matter is that it was a shambolic situation, and we are still paying the price for it now. Were they to have the opportunity to put into practice some of the policies that they boast about now, we would very quickly return to that state of affairs.

Dr Caroline Johnson: My hon. Friend is giving an important speech and making his point very well. Is it not right that the cost of the interest we are paying on the debt created by the Labour Government is roughly equivalent to the current policing budget? Had they not created such huge levels of debt, would we not be able to provide a much better service?

Mr Clarke: My hon. Friend is completely right. The Opposition may deny it because it is fundamentally inconvenient to them.

Ruth George: Will the hon. Gentleman give way?

Mr Clarke: I will happily give way.

Ruth George: I thank the hon. Gentleman. To put the record straight, the debt of which he speaks was less than £1 trillion in 2010. It is now practically £2 trillion. That is where the interest on the debt is coming from. Not only have this Government doubled the country’s debt, but they have decimated our police forces to the lowest level ever and are letting criminals back into our rural communities to run riot.

Mr Clarke: That is the height of economic illiteracy. It fails to distinguish between the debt and the deficit. We inherited an enormous deficit, so of course the debt continued to grow while there was a deficit. We have now virtually closed that deficit on current spending, and all that we now borrow is for investment. That is an absolute calumny in terms of economics, and it is frightening that the hon. Lady believes it.

Mr John Hayes: With respect to my hon. Friend, to return to the issue of policing, it is also true that the problem with the funding of rural policing goes back a long way. I first campaigned on this when Tony Blair was Prime Minister. I took a petition on it to Downing Street when Gordon Brown was Prime Minister and I continued to campaign on it during the coalition Government. We have a fundamental problem across politics of getting the funding for rural policing right, and now we have the opportunity to do so.

Mr Clarke: I agree. How we slice the cake is certainly a topic to which we can return. I find myself in an interesting situation, because part of Cleveland is an urban community and part of it is a rural community. It is certainly important, as a matter of principle, that we have a funding settlement that is fair to all parts of our society.

I want to look at the positive things that are going on, and there are some very positive things going on in Cleveland. I want to congratulate Cleveland police today on opening its recruitment drive. It aims to significantly increase the number of special constables from the current number of about 50 to more than 200. That is a great tribute to our new chief constable, Mike Veale, but it is also a tribute to the police and crime commissioner for allowing it to happen; I welcome, on a cross-party basis, his decision to do so.

I think that lots of people in East Cleveland will want to take up the opportunity to serve as a special constable. I have heard lots of enthusiasm from people who want to serve their communities and who know them well, which means they can establish a bond and will be likely to be able to identify problems before they arise and tackle them decisively. I hope that any constituents listening to the debate will proceed to the Cleveland police website and look at the recruitment process.

A huge amount can also be done through sensible reform. I have met our new chief constable, and he has talked about things such as greater use of technology, so that officers are not obligated to return to station every time there has been an incident and write it up, but can do so while out on the beat, and flattening the force structure. The chief constable has been talking about removing certain ranks from the force structure, to free up more funding for constables who will be out on the beat. It is the sergeants and constables who so often make a real difference on the ground by extending availability of cover. That is an extremely healthy mindset and something that I hope we will see progress on in the years ahead.

There is an opportunity to restore confidence to communities such as Loftus and Brotton. I am holding a series of meetings in those two villages this Friday with the chief constable and the police and crime commissioner precisely to try to identify how, while recognising the financial realities, we can deliver a better balance of policing between the urban and rural areas of Middlesbrough South and East Cleveland.

5.43 pm

David Hanson (Delyn) (Lab): Thank you, Madam Deputy Speaker, for giving me the opportunity to contribute to the debate.

I represent a constituency in north Wales, which has a number of urban areas but is also significantly rural, as my hon. Friend the Member for Clwyd South (Susan Elan Jones) said. We have something like 700,000 people in north Wales, spread over 6,000-plus sq km. It is a drive of 82 miles from one end of north Wales to the other, and it would take me 20 miles by 10 miles to cover my constituency. It is a big rural area represented by Members of Parliament in the House today. We have six counties in the North Wales police force area, and we have two languages—Welsh and English—because of the area’s history.
[David Hanson]

We have an influx of tourists each year, which doubles the population in the key summer months. That brings its own challenges, as my hon. Friend said, such as increased traffic problems, more deaths on roads and an increase in the number of events that need policing. We have individuals who occasionally drink too much on holiday and cause difficulties, and we have increased crime in the summer months. Those challenges are by no means and by no stretch of the imagination the ones facing central London or the inner cities, but they are interesting challenges that need to be addressed by the Government as part of the rural crime debate. We border the two metropolitan areas of Merseyside and Manchester, which have significant crime challenges, such as the promotion of drug and other criminal activity, which are very often transferred to areas of north Wales. We have to be aware of all those issues.

I approach this debate in the light of those challenges for north Wales. We are an area of moderate or reasonably low crime, but I bring to the House the fact that in the past 12 to 15 months crime has significantly increased. I listened with some interest to Members who have seen crime fall in their area. We must remember that this is against a backdrop of having 20,000 fewer officers across the whole of the United Kingdom since I had the honour of being the police Minister in the Home Office. There has been a 6% drop in police numbers—100 fewer officers—in my North Wales police force area, but over the past 18 months there has been a 13% increase in recorded crime in north Wales. The number of murders is at a seven-year high. Shop theft has risen, and it is estimated that its cost is over £128,000 a year in my constituency. Theft from buildings and properties has risen by 37% in the past year and violent crime is up by 21%, with domestic burglary up by 38% across the board.

I accept that this brings many challenges, and I know for a fact that North Wales police officers are doing a sterling job—they are concerned to drive crime down, and they want to do more—but the chief constable himself has said that we face a £2.1 million cut next year because of reduced funding from central Government. It is all very well to talk, as we did earlier, about taxpayers’ money, but central Government money comes from everybody, with the richest and the poorest in our society paying it through direct taxation, while the rises from everybody, with the richest and the poorest in our society paying it through direct taxation, while the rises from everybody, with the richest and the poorest in our society paying it through direct taxation, while the rises from everybody, with the richest and the poorest in our society paying it through direct taxation, while the rises from everybody, with the richest and the poorest in our society paying it through direct taxation, while the rises from everybody, with the richest and the poorest in our society paying it through direct taxation, while the rises from everybody, with the richest and the poorest in our society paying it through direct taxation, while the rises from everybody, with the richest and the poorest in our society paying it through direct taxation, while the rises from everybody, with the richest and the poorest in our society paying it through direct taxation, while the rises from everybody, with the richest and the poorest in our society paying it through direct taxation, while the rises from everybody, with the richest and the poorest in our society paying it through direct taxation, while the rises from everybody, with the richest and the poorest in our society paying it through direct taxation, while the rises from everybody, with the richest and the poorest in our society paying it through direct taxation, while the rises from everybody, with the richest and the poorest in our society paying it through direct taxation, while the rises from everybody, with the richest and the poorest in our society paying it through direct taxation, while the rises from everybody, with the richest and the poorest in our society paying it through direct taxation, while the rises from everybody.

The head of the unit, Rob Taylor, and its officers have brought to my attention the vital issue of sheep worrying. I want to put it on the Minister’s agenda because he can make a difference today by saying that he will act on it. Sheep worrying in my north Wales constituency has resulted in 648 dead animals in the past year. Farmers have shot 52 dogs because they were sheep worrying. There have been 449 livestock attacks. Damage to sheep and livestock has cost farmers thousands of pounds. Farmers in Llangollen in my constituency have experienced two attacks in 48 hours.

Why do I say that the Minister can take action? There are some clear things he can do, so let me put them on the record. I know those figures because North Wales police have kept a record of those attacks. At present, attacks on livestock in general—not just sheep—are not a recordable offence across the United Kingdom. The Home Office could make that a recordable offence so that we know how many attacks have taken place and where, and the extent of the problem.

The Government also need to address the fact that the police have no powers to seize dogs that undertake attacks. The fine for irresponsible dog owners whose dogs attack sheep is £1,000, but that does not even cover the cost of dead sheep following attacks on some of my constituents’ farms, and no compensation is paid to people who lose sheep as a result of criminal activity. It is very difficult to get sheep insurance if there has already been an attack. Finally, no disqualification order is applied to the owner of a dog that attacks sheep and kills perhaps 10 or 15 of them, as has happened on some of the farms in my constituency.

It is in the gift of the Minister to address those issues. He could make it a recordable offence, increase the fine, give the police powers to seize dogs legally, and give...
disqualification orders to dog owners whose dogs misbehave in a way that causes carnage, increased costs and damage.

The all-party parliamentary group on animal welfare, ably led by my hon. Friend the Member for Penistone and Stocksbridge (Angela Smith), has produced an excellent report on those issues which has been submitted to DEFRA. The Minister could indicate today that he will look at the issues. Although that would not increase police numbers or necessarily reduce crime in my urban areas, which is still a severe issue, or prevent murders linked to county line issues and other drug offences, it could help, in a small way, to support the efforts of the North Wales police rural unit to tackle sheep worrying and sheep crime. Many people think it is a frivolous crime, but it comes at a cost.

**Giles Watling:** Will the right hon. Gentleman give way?

**David Hanson:** I was about to finish, but I will certainly give way to the hon. Gentleman.

**Giles Watling:** I thank the right hon. Gentleman for giving way and I am sorry for interrupting just as he was finishing. Does he think it might be helpful to reintroduce a form of licensing or registration for dogs so that we know where they are and who owns them?

**David Hanson:** There are a range of issues and that could certainly be looked at. In the immediate term, however, although my force records the crimes, we do not know how many animal attacks there are against livestock in Essex, for example, because the police are not required to record them. Recording them would be a start, and increasing the fine and allowing the police to disqualify dog owners are other major proposals. Important though I think other issues are, none of those proposals would be a major expenditure item for the police or for DEFRA. I hope they would act as a deterrent and help tackle this particular crime, which has caused mayhem in my constituency. They have the support of North Wales police. If I can have extra police, I will take them, and if we can deal with urban crime, I will take that, but the Minister has it in his gift to address those issues and I hope he will seriously consider doing so today.

**Several hon. Members rose—**

**Madam Deputy Speaker (Mrs Eleanor Laing):** Order. If everyone takes around seven minutes, everyone who wishes to speak will have an opportunity to do so. If they do not, I will have to impose a time limit. Let us try to be co-operative.

5.54 pm

**Matt Warman** (Boston and Skegness) (Con): Thank you, Madam Deputy Speaker; I might even try to take less time, in the spirit of charity.

As attested to not least by the number of Lincolnshire MPs in the Chamber today, the Lincolnshire police force is a remarkable force. Lincolnshire is a vast rural county—second biggest in the country, after Yorkshire—yet, although the average level of funding per head in the UK is £104.50, it gets by on £77.90 per head. That is a huge difference. I say gently to the Opposition that it is surprising that their contention is that it costs more to police a rural area than a metropolitan area in some ways. Lincolnshire does not want to take money away from metropolitan areas, but I think we all realise that a fairer share of the cake is important. In that context, though, I think we all also realise that the Metropolitan police’s work on counter-terrorism has a nationwide benefit and that rural police forces benefit from the integrated way in which modern police forces work.

**Mr John Hayes:** Let me say two things on that matter. First, Lincolnshire is not only rural but sparse, and the sparse nature of the population creates real problems in terms of the police responding to events of the kind that have been described. Secondly, the Metropolitan police’s reach, which my hon. Friend describes, does not mean that Lincolnshire police do not have to be alive to those kind of threats and trained to prepare for them, which is costly, too.

**Matt Warman:** I am grateful to my right hon. Friend for summarising the rest of my speech. He is absolutely right that, although we of course benefit from money that goes to the Metropolitan police and to other police forces, in a county that is a vast place in terms of travelling time as much as distance, the nature of policing is fundamentally different.

We have talked about hare coursing at some length and I do not wish to add much to the excellent contributions we have heard, but let me say two things. First, this is absolutely about the sense of safety that people feel in their own homes and properties. It is a profoundly serious crime that has never had the attention that it deserves in terms of sentencing in the courts. Its victims have struggled to articulate quite how damaging and limiting for their lives it has been not to feel safe in their own homes, knowing how distant they are from anyone else. If nothing else, this debate has been an important contribution on that issue.

Secondly, when I have raised hare coursing in this House and elsewhere, one of my frustrations has been that even people in urban areas in my constituency often accuse those who seek to better fund action on rural crime and hare coursing of not focusing on what they would say are more important urban crimes. We have a job of work to do to explain the damage done by rural crime and hare coursing in particular, not only to our colleagues in the House but even to those who live in market towns just a few miles from where it happens. I absolutely commend the work of my hon. Friend the Member for Sleaford and North Hykeham (Dr Johnson) and the all-party group on rural crime, particularly on hare coursing, but there is plenty more to do on that front.

Next, I wish to talk about the roads, and particularly the cost to Lincolnshire police of the investigation of accidents and collisions. According to Lincolnshire police, on average, it costs £2 million overall to investigate a collision and £1.84 million per casualty. It is of course a tragedy when anyone dies on our roads, but it is also a huge amount of money for our public services, so we are right to consider what we can do to get the incidence of road fatalities down, not solely for the sake of the families of those in our constituencies but for all taxpayers.

Thankfully, Lincolnshire has seen a significant reduction in the number of road deaths and collisions compared with 10 or 15 years ago, but there is still a huge amount of work to do. We have to bear in mind that the work of...
special constables in particular has been a very practical way for Lincolnshire to deal with the number of crimes and the number of road safety partnership schemes has increased. That should be commended and it is just one example of Lincolnshire police being creative with that £77.90 per head of population, which, as I said earlier, is some £25 per head below the average for the country.

The police force has worked with the private sector. Lincolnshire colleagues will no doubt be familiar with the imperfection of G4S, shall we say, when it comes to its relationship with the police force, but I would argue that ultimately it has done far more good than harm in terms of value for the taxpayer. When it works, it works very well, so I commend it.

I also commend the use of WhatsApp groups to deal with hare coursing, the use of drones and a whole host of schemes. I commend the work of the police with North Sea Camp prison on fly-tipping, allowing inmates to return, to some extent, to the world of work through the genuine public service of helping to deal with fly-tipping, which in our vast rural county is a real struggle and hard to deal with. It is also the right thing to do for the future life chances of criminals in a category D, so-called open, prison, where it is important they adjust to the future world of work.

I will talk briefly about the issues that have come to the urban areas of my constituency, thanks to the many benefits of being a rural area. Large numbers of people have come to Boston in particular thanks to our agricultural economy and the availability of work. That has, however, caused some social tensions and a number of issues around translation for the police, which cost a great deal of money. Dealing with new communities within a rural constituency often falls to the police. Lincolnshire police do a remarkable job in very challenging circumstances. I commend the work of Marc Jones, the police and crime commissioner, and Bill Skelly.

More than anything, what we have seen from all my Lincolnshire colleagues—and from the Minister on the Front Bench—is an argument that a fairer share of the funding cake is only right for rural constituencies. I hope that the next time we debate the policing formula, those on the Labour Benches will acknowledge that it would be in all our interests to slice that funding cake more fairly than it is at the present time. Those shopkeepers are often solitary, working on their own in their shops. They tell me that they are frightened by the lack of police presence on their streets. In Chapel-en-le-Frith, the capital of the Peak, a beautiful little village nestled in the valleys just down the road from where I live, there are people posting on social media that they are too scared to set foot outside their doors because they are worried about the criminals patrolling the area looking for burglary opportunities. In Derbyshire, we have lost more than 400 police officers in the last seven years, as well as two police stations, one in New Mills and one in Chapel-en-le-Frith, and while the Minister can question the impact of those losses, people in those communities certainly feel less safe.

We have had an increase in our precept of £1 a month for every resident across Derbyshire, which will allow us another 25 officers, but that will in no way make up for the more than 400 we have lost. High Peak is an area of over 200 square miles and 91,000 people. We used to have more than 100 police officers across our four police stations; now there are just half that number. We have seen not only a 26% cut in police funding but huge extra demands on our police forces, particularly from specialist crime, cyber-crime, sexual exploitation, domestic abuse and modern slavery.

Now we have just 50 police officers across two police stations. I pay enormous tribute to Inspector Phil Booth of High Peak police and his team, who work incredibly hard over a wide area—and singlehandedly now that there are not enough of them to cover the whole area with two officers at a time. At most, we have 10 officers patrolling at once, even at the busiest times—the thin blue line is very thin! I saw this when I spent a 12-hour shift with them on a Friday night, driving huge distances, searching for missing persons, dealing with antisocial behaviour, domestic incidents and violence.

Officers often have to attend dangerous incidents singlehanded. Last month, one of our officers responded to a burglar alarm at a warehouse—a fairly common incident. He went out on his own in a police car as usual, but when he got there, three cars sped out of the warehouse straight at him and rammed his police car, deliberately injuring him. Fortunately, after that, they left, but we are seeing increased violence by offenders, because they know our police are on their own.

When I was sitting in the police station with the police officers, a young constable told me that she often had to attend on her own incidents where gangs of youths taunted her and claimed she had no back-up on the way. She has to claim she has support around the corner while knowing from her radio that she does not, that her colleagues might be miles away and that she has to hold the line on her own, and it is scary. Our police officers should not be put in those situations. It happens more in rural areas because the police are so isolated and covering such a wide area. There is a limit to what individual officers can put up with, and unfortunately more are leaving the service from stress and strain. They should not be in danger because of cuts.

On top of all this, we have recently seen county lines criminals come to our quiet area of Derbyshire, bringing violence, cuckooing, the kidnapping of vulnerable people,
hard drugs and serious weapons. They come out from Manchester, take over a house in Buxton, Chapel or New Mills and hold inhabitants captive while they supply hard drugs in the area. When our police receive intelligence that a drug supplier is present, they have to request an armed response unit from Ripley, which is over an hour away. If they do not get that intelligence and have to raid the property themselves, they can be faced with knives, guns and—in the latest incident—machetes. They are putting their own safety on the line for us.

Rural crime might be similar to that in urban areas, but rural areas have fewer resources to deal with it. We could have a debate about the reason for that, as the Minister tried to do earlier, but I would rather make some practical suggestions, and I hope that Ministers will take heed. Our local court was closed two years ago, so now offenders have to be transported over an hour away. If they do not get that intelligence that a drug supplier is present, they have to raid the property themselves, they can be faced with knives, guns and—in the latest incident—machetes. They are putting their own safety on the line for us.

Mr Speaker: Order. I am extremely grateful to the hon. Lady, and we look forward to the elucidation of her arguments, but I was a tad nervous when she talked about the subjects she wanted to go on to discuss, because a number of other Members also wish to contribute, and we must get on to the winding-up speeches as well. I am sure she will treat of these matters in a legendary fashion but also very succinctly.

Ruth George: Thank you, Mr Speaker. Absolutely. I am sure that the Home Office will be asking Justice Ministers to look into the impact of the next round of court closures on police and Home Office resources.

It takes six months for people in my area to receive drugs treatment. That means not only that those people are suffering, but that the criminals who come out for county lines have a ready-made market. Although hardened drug users are apparently begging for treatment, they cannot get it for six months, and that needs to be looked at.

Finally, our police tell me that they have a serious problem with forensic testing. It takes six months for an illegal substance to be tested. The police can hold suspects on pre-charge bail for a maximum of three months, so they have to let them go and cannot place conditions on them. Those people are then free to intimidate victims and witnesses, thus endangering their trials and the ability to commit them for sentencing.

I look forward to the Minister’s addressing those issues. We all want our police to have the support they need in every area, so that they can do their job of protecting us all.

Mr Speaker: Well! That was extremely succinct. I thank the hon. Lady.

6.11 pm

Mrs Kemi Badenoch (Saffron Walden) (Con): Saffron Walden is the largest and most rural constituency in Essex, with almost 400 square miles of beautiful countryside. However, its size means that my constituents face challenges in accessing public services, and in that regard the vast majority of the correspondence that I receive relates to tackling rural crime. Rural crime needs special attention, because it is markedly different from other offences. In some respects our area needs more, not less, policing than other areas. That is because crimes are often committed by certain groups in isolated areas where police response times are inevitably slower.

The Conservatives are the party of law and order, and the Government have done some very positive things, which I acknowledge. In April the Minister for Housing, my hon. Friend the Member for Sedgefield, announced a review of the powers to deal with unauthorised caravan sites. Similarly, after lobbying efforts by me and a number of colleagues—including my hon. Friend the Member for Clacton (Giles Watling), who is present—the Essex police precept was increased. The increase will deliver 150 more officers.

I supported that measure wholeheartedly, but it was a short-term solution, and local people cannot always be asked to pay more. Taxpayers are already burdened with the cost of clearing up rural crime—for instance, in the village of Great Canfield, where my constituent Allison Ward wrote to me about fly-tipping, explaining that it had blocked roads and that it could take two or three days for the rubbish to be removed. I have regularly been in contact with farmers who have been threatened, businesses that have been stolen from, shop owners in the market towns who have been burgled, and the many constituents whose lives are blighted by illegal Traveller sites. My constituents Kate Mitchell and Jenny Askev wrote to me to know that, even as we speak, an illegal site is disrupting pupils in the middle of their important exams at Helena Romanes School.

I am speaking today on behalf of all those people, and asking the Government for a fresh look at rural crime with more innovative solutions. For instance, Uttlesford community safety partnership has brilliant outreach schemes. By building networks among farmers, it has enabled them to message one another when an incident requires a rapid response. The partnership is currently lobbying for automatic number plate recognition cameras along an M11 link road, the B1383, which would help to trigger alerts when suspected hare coursers enter the area. We would be pleased if that received Government support.

I spent my Easter recess gaining work experience with local police. It was an opportunity for me to engage with what they are seeing on the frontline. I was able to look more closely at how cases are handled on the Athena system and how the police work with Uttlesford Council, and to take part in local and community policing ride-alongs. One day we even had an urgent 999 call—about a naked man running around Saffron Walden. I am only half glad that we did not catch him, as he would have had to sit in the back of the patrol car with me!

What I learned from being with the police is that they feel they spend too much time driving across the area and not enough time policing. They also have concerns that population does not account for as wide an area as Braintree and Uttlesford, so we need more officers because the per capita statistics are not reflective when need is assessed. That is why constituents such as David Kerr wrote to me, quite rightly, to say that police presence is lacking and that is why some criminals feel they can act with impunity.

When I was out on a patrol with PCSO James Graham, whom I pay tribute to for his tireless community engagement, we met farmers who had been affected by...
hare coursing. Their families had previously been threatened by the coursers. As law-abiding citizens, they have liberty to lose, but those who challenge them on their own land do not. My constituent Tony Rea has often written to me about ways in which the Irish model, where trespass is a criminal and not a civil offence, can be used to stop Travellers trespassing on private land.

What was striking is that due to the major roads and airport infrastructure in the constituency, we suffer from high rates of transient crime, as hare coursers come from outside the county. I have also been told of the bizarre instance of criminals from as far away as Chile coming in via Stansted airport and fleeing before their crimes could be properly investigated.

On my last day with the police, I took part in a multi-agency operation on the Felsted Traveller site to find some wanted individuals. I helped the police patrol the perimeter to ensure that suspects did not successfully flee, and joined the dog unit to microchip the Travellers’ dogs. Shockingly, we uncovered a cannabis factory. This illegal activity on a sanctioned site only fuels drug use in the area and Travellers’ own gambling habits for hare coursing. Despite this, I also heard stories of remarkable bravery, notably where Sergeant Geoff Edwards—only just returning to full duty—challenged seven hare coursers on his own.

I pay tribute to Essex Police and in particular Chief Constable Stephen Kavanagh, who recently announced his retirement. The police need more support from us in this House. We can help them by looking again at a strategic view of how best to fight rural crime and introducing innovations as they protect our constituents. I would be most grateful if the Minister shared with the House in this debate, or in the near future, any new proposals or innovations the Government have in this area.

6.17 pm

Fiona Onasanya (Peterborough) (Lab): By participating in this very necessary debate today I wish to put on record my willingness to speak up for the rural communities and farm businesses that this Government have neglected.

I went to Moor farm in my constituency to meet a number of farmers and members of the National Farmers Union. Farmers in my constituency have said that they are unable to sleep peacefully and are having to constantly dig trenches, replace locks and build gates and barriers to barricade themselves in their own farms. Gangs of hare coursers have threatened their families with violence and intimidation; hare coursing itself has become an almost daily and expected occurrence and damages crops, property and the welfare of livestock.

I ask Members to imagine if the context of a criminal episode was changed and it was shown to be one of us smashing through garden fences, driving across flowerbeds, shouting and gesticulating and gesturing abuse, intimidating and threatening witnesses and even actually assaulting someone. Would we be permitted to continue in that way unimpeded time after time? I think not; we all know the answer would be no.

Those who live, work and enjoy the countryside should feel safe, but these crimes result in deep anxiety. These communities are suffering from a chronic lack of investment in public services. Last year, there were 184 incidents of hare coursing in Peterborough and rural theft cost Cambridgeshire £1,732,174. Organised crime gangs steal diesel and tractors and relentlessly target quad bikes. The theft of high-value machinery that cannot be replaced swiftly puts timely agricultural operations at risk.

My constabulary works tirelessly to prevent the intimidation of landowners, walkers and people trying to enjoy the countryside, but cuts have affected the ability of rural forces to provide time-honoured community policing. Fly-tipping and illegal waste dumping are costing farmers tens of thousands of pounds to clear up. What impact does the Minister believe these unprecedented cuts to local authorities are having on the levels of rural fly-tipping? I would be interested to know whether he recognises the connection between his Government’s relentless austerity agenda and the increases in fly-tipping and littering in our countryside. As a result of these cuts to our councils, the cost of clearing fly-tips is increasingly being borne by landowners and farmers.

The situation is totally out of control, and on the rare occasions when criminals are apprehended, it is felt that their acts of criminality are not being dealt with appropriately. When I speak to farmers, they advise me that even when the police are called, they are unable to respond in a timely fashion. Also, as we have heard today, the police can be intimidated by these criminals. They often have to attend a reported crime by themselves without any support, and that has to be looked into. It is inappropriate for them to be alone without support. They need better support, and the victims of crime should not have to pay. Farms are having to become fortresses, as farmers feel as though they are under siege. There has been a blatant failure to address the real issues, and the situation has now reached breaking point. I ask the Minister to look seriously at what can be done to address the issue of rural crime, in order to make those whom we serve feel safe.

6.21 pm

Trudy Harrison (Copeland) (Con): I would like to start by commending my police and crime commissioner, Peter McCall, and the Cumbria constabulary, which has recently been graded as “good” by Her Majesty’s inspectorate. My very rural constituency covers an area of around 500 square miles and has a population of 80,000 people. This brings two challenges. The huge geographical area of Cumbria, with the Lake District mountain range in the middle, means that it takes far longer than one might expect to travel the length and breadth of the county. It also means that we are less able than more densely populated rural areas to generate funds by increasing the precept.

Robert Courts (Witney) (Con): My hon. Friend describes her rural area, and of course, west Oxfordshire is also rural. We too are afflicted by the horrors of hare coursing, as well as by rural thefts and, more recently, by some well-publicised violent ATM thefts. It occurs to me that, although this is rural crime, it may be committed by people who are coming from elsewhere and that there could therefore be an element of urban crime exporting itself to rural areas. Does my hon. Friend agree that we need not only to encourage police forces to work together, which they will do, but to consider these issues holistically?
The election of police and crime commissioners has given communities, including those in rural areas, a strong voice in determining how police resources should be allocated in order to tackle the crimes that matter most to our communities. However, this is dependent on having a strong economy and a large population to contribute towards the precept. It is true that people living and working in rural areas are less likely to become victims of crime than those in urban areas, but let us not discount the fact that rural crime is estimated to have cost the UK economy more than £39 million since 2016.

The crime and community safety strategic assessment for Cumbria published in November 2017 reports that more than half the residents in Cumbria live rural. That compares with about 18% across England and Wales. Offences typically include the theft of livestock, quad bikes, machinery and small and mid-sized tractors, as well as older tractors, which are now being stolen to feed the market for spares. Fly-tipping and illegal waste dumping cost landowners tens of thousands of pounds to clear up, and this is becoming an increasing problem for local authorities and the police, as well as for our communities, who take so much pride in where they live.

Cumbria’s economy depends on tourism, which is worth around £2.5 billion. Having secured UNESCO world heritage status for our cultural heritage and stunning scenery, it is surely more important than ever to clamp down on illegal fly-tipping, to safeguard the environment and, of course, to protect farmers and landowners—the very people who created our globally celebrated landscape. Without farmers, we would have nothing. I visit a farm in my constituency each month, and I am increasingly aware of their contribution to our countryside and economy.

I commend Alan Anderson, a Cumbrian shepherd who works closely with the community and police, for raising awareness of sheep rustling, resulting in an overall reduction of 22% in that particular rural crime. I also commend the CLA action plan for combating hare coursing. Despite being illegal, hare coursing is increasing, fuelled by black market gambling. Introducing specific sentencing, ensuring adequate resources for the National Wildlife Crime Unit—I welcome the £301,000 of funding—and allowing police to reclaim the costs of kennelling dogs from offenders will all help. The confiscating of dogs has already resulted in a reduction of lamping in my area, which is of course welcome, but these horrific crimes still go on. Criminals come out at night, trespassing on landowners’ fields, scanning the area with high-powered lamps, allowing their lurchers to outrun the deer and drag them down by the throat. They often return some days later to collect the fatally wounded animal, alleging that they found it. Such people are the thugs of the countryside.

NFU Mutual’s claims data reports that the annual cost of rural crime to Cumbria is around £614,000. That is a decrease of 16.5% compared with the previous year, which is good news, but I urge the Government, and the Home Office in particular, not to be blindsided by this seemingly encouraging statistic. Apathy is all too common in our communities, with too many people failing to report crime or lacking faith in the criminal justice system. The financial cost to Cumbria is less than in many other counties, but the impact on Copeland’s rural communities is significant.

Only last weekend, my uncle was the victim of a rural crime, part of a spate of many vehicles being broken into through the night. The thieves got away with a Hilti hammer drill, a battery drill, a Makita planer and a Makita circular saw. That was not just a theft; it will affect his livelihood as a joiner. While the cost of those tools may run into the thousands of pounds, the impact on his business and livelihood and the subsequent delays to the projects he is working on is considerable. Highly skilled, hard-working, honest people in my community are being blighted by the crimes of low-lifes, which must not go uninvestigated and unprosecuted. The perpetrators of these rural crimes must be brought to justice.

I would like to draw to the attention of the House how perpetrators are going about committing such crimes. It is appalling that skeleton keys used to break into transit vans easily can still be purchased online even after a national newspaper slammed an online marketplace for selling them. I fail to see how insurers can adequately protect owners while such keys are so readily available, and I urge Government to act.

In conclusion, I am pleased that crime is on the decrease and that an extra £460 million will be invested through the police and crime commissioners’ precept. The contribution of rural businesses, farmers and tourism plays an enormous role in our economy, and I hope that we ensure that they are protected.

6.29 pm

Giles Watling (Clacton) (Con): It is a great pleasure to follow my hon. Friend the Member for Copeland (Trudy Harrison) in this important debate. As a district councillor and long-time resident of Tendring, I know that rural crime is all too common in the Tendring District Council area. To demonstrate that point further, only today I received a telephone call and an email from a couple of local residents who have both recently been the victims of rural crime. In the first incident, a constituent contacted me to report fly-tipping. I hear similar concerns on a weekly basis in my area, and fly-tipping is the most significant rural crime we face locally. It is estimated that my local authority spent over £74,000 last year alone on tackling this issue, which is £74,000 that should have been spent on improving public services for local taxpayers. That is an outrage: taxes should not have to be spent in this way.

Moreover, if the council is spending £74,000, unfortunate private landowners are probably spending much more. I say probably because we have no way of telling how much it costs them to clear up the mess. I am told by my local Essex police district commander, the excellent Paul Wells, that, on the whole, private landowners just get on with it and clear up the mess, so the actual cost to them and to the public is far higher than the headline figures suggest.

We must also consider the potential health risks of fly-tipping, because some people—some builders, et cetera—will just dump stuff that may contain hazardous
Looking for an escaped ostrich.

Pleased they will have the Government's support.

Clacton, will find their work cut out for them, yet I am 150 new officers. These men and women, while enjoying a boost of £8.8 million across Essex to pay for around £450 million nationally this year. There will be a welcome increase in the pay of police officers, this will mean force budgets can increase by up to £10 million since 2010, meaning that the true cost of rural crime has fallen by £10 million since 2010, meaning that the true cost of rural crime has fallen by £39.2 million too much—which shows how effective our rural crime enforcement. From knife crime to rural crime, we need to get more flexibility in the way that local police forces can be and demonstrates that things are moving in the right direction.

Moving away from fly-tipping, an equally important local crime in our rural areas is dog theft, which has not been mentioned this afternoon. I am regularly contacted about this issue. I have previously raised the concerns of local residents in a Westminster Hall debate on the sale of puppies, and I would be grateful for more information from the Minister on what the Government plan to do about that issue.

According to figures from the CLA, there were 1,132 incidents of fly-tipping in Tendring in 2016-17, yet no fines were given out, no vehicles were seized and nobody was prosecuted. To put it another way, 1,170 incidents were investigated, at a cost of £38,000 to the public purse, nobody was punished, and no costs were recouped.

Rural crime in Tendring is not all doom and gloom. Our police are doing great work locally, and I thank our long-time rural and heritage crime officer Andy Long and all his Essex police colleagues for their hard work. Thanks to their efforts, the cost of rural crime has fallen by £10 million since 2010, meaning that the true cost of rural crime is now around £39.2 million—that is £39.2 million too much—which shows how effective our local police forces can be and demonstrates that things are moving in the right direction.

That brings me to my final point, because this debate, however focused on rural communities, comes back to a common word used in many debates in this House: enforcement. From knife crime to rural crime, we need bobbies on the beat to act, which is why I am delighted that the campaign I launched last year with fellow Essex MPs, as mentioned earlier, to get more flexibility in the police precept was successful.

Police and crime commissioners are now able to raise precept contributions by up to £1 a month. Together, this will mean force budgets can increase by up to £450 million nationally this year. There will be a welcome boost of £8.8 million across Essex to pay for around 150 new officers. These men and women, while enjoying the rural beauty of our fantastic sunshine coast of Clacton, will find their work cut out for them, yet I am pleased they will have the Government's support.

I am also pleased that we have 150 extra officers in Essex, because I have just been informed on my mobile device that the police are currently out in my area looking for an escaped ostrich.

Mr Speaker: It is always useful to have a bit of additional information. We are deeply obliged to the hon. Gentleman.

Sue Hayman (Workington) (Lab): Follow that, as they say. We have had a wide-ranging, comprehensive debate, and I wish to thank all colleagues, from both sides of the House, for taking part and bringing their helpful contributions to the Floor. I also wish to thank the hon. Member for Sleaford and North Hykeham (Dr Johnson) for mentioning the all-party group on rural crime, as it is useful for colleagues to know what else is happening in the House that they can take part in when they have an interest in a particular subject. I also thank my hon. Friend the Member for Clwyd South (Susan Elan Jones) for raising the important issue of speeding on rural roads. Any of us in a rural community knows that it is a serious issue, particularly in some of our villages. My hon. Friend the Member for High Peak (Ruth George) drew a vivid picture of the challenges faced by the police in her constituency.

What we have heard today can leave us in no doubt that the Tory Government have simply neglected Britain's rural communities and have taken so many of our rural constituencies for granted. I represent the Cumbrian seat of Workington, and I join the hon. Member for Copeland (Trudy Harrison) in supporting the important work that our constabulary and PCC do. I thank her for raising that. The constituency I live in covers a huge rural area of the northern Lake district, including the national park, which is now a world heritage site, and the Solway Plain area of outstanding natural beauty. So I am acutely aware of the issues facing people in our small towns, villages and hamlets—I am one of those people.

Anyone with a rural constituency, and anyone who lives in one, knows just how difficult the delivery of high-quality public services is in our communities and how much more expensive they are to deliver. Our local authorities are under intense funding pressures. My local authority, Cumbria County Council, is set to have to make a colossal £33 million in savings over the next 12 months, because of the widespread uncertainty it is facing over its funding for the future. That is £33 million of cuts to vital public services that the authority is being forced into, and we know that there is because funding from central Government has been slashed. Expecting a county such as Cumbria to get its funding from business rates is simply not realistic, as we do not have the necessary level of business or population. It is really important that rural communities have proper funding and that the Government understand that not all formulas work for all areas.

The people set to suffer the most from the cuts to local services are our young people, our elderly, adults who are more vulnerable—those with disabilities—and the people who live in our most rural areas. That is because of the extra cost of delivering to those communities. Unfortunately, it seems that things are set to get even more difficult in Cumbria, as the council also has to find a way to save £70 million by 2022, and that is in addition to the £214 million it has reduced spending by since 2011.

In February, the Government announced an extra £150 million for adult social care, with about £1.5 million of that for Cumbria, but that was described by the council leadership as “crumbs from the table”, and they are absolutely right. As I said, councils need proper funding in place for the requirements they have to
deliver and they should not have to rely on ad-hoc tiny handouts from Whitehall to try to keep crucial social services afloat. The County Councils Network estimates that Cumbrian residents will receive £161 of core funding per head this year. As has been mentioned, rural constituents get less money per head. London residents are going to receive £459 per head, which illustrates clearly the problem that we face.

Obviously, the county council has the option to raise council tax. We have heard about precepts being raised and council tax being raised, but what that means is that people who live in rural communities end up paying more per head again and this will continue to build and build. I do not believe that any Minister would consider that this is a fair situation.

I will now turn to the issue of rural crime. It is clear that the Government are failing properly to tackle wildlife crime, rural fly-tipping, sheep worrying and rustling and farm machinery thefts. A recent NFU report, “Combatting Rural Crime”, said that there is, in fact, no proper co-ordinated response from the Government. My right hon. Friend the Member for Delyn (David Hanson) talked about the really serious issue of sheep worrying. Figures obtained by Farmers Weekly on sheep worrying attacks reveal that the problem is endemic. We know that there is a huge number of attacks on sheep and that, on average, one dog is shot every single week. The investigation suggests that there is significant under-reporting by farmers, so we know that this is likely to be just the tip of the iceberg. More dog attacks on sheep were recorded in Cumbria last year than in any other English county, so this is an issue that is acutely felt by many of my own constituents. I urge the Minister to listen to what my right hon. Friend has said and take action on this issue.

We have heard that fly-tipping is on the increase, and an increasing amount is being tipped on farmland and in woodland. Farmers are being left to clean up the mess and cover the costs. For example, a Shropshire farmer had a clean-up bill recently of £18,000. Another in Staffordshire, a bill of £6,000, and we have heard of cases where ambulances cannot get through to farms owing to blocked lanes.

On wildlife crime, the latest bird crime report from the Royal Society for the Protection of Birds shows that, in 2016, there were no prosecutions at all in the UK for raptor persecution. That was for the first time in more than 30 years, despite the fact that there were 81 recorded instances of persecution. It is simply not good enough. Hen harrier populations are now down by 27%.

There is also concern that the badger cull is fuelling organised badger baiting. We heard from my hon. Friend the Member for Canterbury (Rosie Duffield) that badgers are now worth £500 to £700 on the black market. Criminal gangs sell on these badgers for fighting with dogs, an absolutely abhorrent practice that we really need to get on top of and stamp out urgently.

Despite Labour’s 2004 fox hunting ban, we have heard again today about concerns that thousands of animals are being targeted and killed every year by hunts. Campaigners believe trail hunting is being used to cover up the indiscriminate killing of foxes, hares and deer. We have also heard much this afternoon about the problem of hare coursing and the need to clamp down on it. My hon. Friend the Member for Peterborough (Fiona Onasanya) painted a particularly vivid picture of this.

The National Wildlife Crime Unit was set to be shut down by the Government in 2016, but was awarded four years’ worth of funding at the last minute, and I thank them for that. However, can the Minister confirm whether the unit will continue to receive adequate funding after 2020? The removal of this funding would have serious implications for the detection and accountability of those committing wildlife crimes, such as badger baiting and raptor persecution.

A recent wildlife charity study found a “worrying lack” of prosecutions for wildlife crimes. Almost 1,300 incidents were recorded in just one year, but the records show that there were only 22 prosecutions or convictions. Worryingly, the report also says that the charities’ data is believed to be more comprehensive than Home Office crime statistics, but is still likely to be only the “tip of the iceberg”. It calls on the Government to follow Scotland’s lead. I understand that, in Scotland, there are specific police recording codes that the police use for wildlife crime. As one Member mentioned, it needs to become a reportable offence. The problem at the moment is that if something is recorded as miscellaneous, it is very difficult to build a really clear picture of the extent of the problem. If we want to monitor the situation properly to take the correct action, this is an important step that the Government could take. I ask the Minister to commit to that; if he will not commit to it today, perhaps he could commit to look at whether this is something that could feasibly be done.

I am so pleased that this debate is on the Floor of the House because we need to talk about the real issues that affect rural communities on a daily basis. At the last general election the Conservatives offered nothing for rural voters in Britain, concentrating their efforts on reopening the debate on bringing back fox hunting, instead of improving rural transport, halting bank closures, properly funding local schools, stopping the centralisation of beds away from community hospitals that play such an important role in our communities and, as we have discussed today, resolving the problem of rural crime.

The Labour party would put proper investment into Britain’s public services and infrastructure. This has never been more relevant than it is today to the millions of people living in rural communities across the country, who become so isolated when that infrastructure breaks down. In our 2017 election manifesto, Labour pledged to rural-proof all of our policies, alongside proper investment in rural housing, transport, public services and local authorities, so that they are able to deliver services in areas such as mine, where it costs so much more to do so. We also have policies such as widening of the scope of the Groceries Code Adjudicator, reinstating the seasonal agricultural workers scheme and introducing an agricultural wages board in order to boost the rural economy. The rural economy needs boosting through investment in infrastructure, transport and people such as farmers and food producers. By taking those steps, we can support that economy and, through that, support British farming.

A Labour Government will invest in rural communities and deliver prosperity for towns and villages, because they deserve and need it. Everyone who lives, works and enjoys the countryside has the right to feel safe, understood and secure.
6.47 pm

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (David Rutley): The Under-Secretary of State for the Home Department, my hon. Friend the Member for Louth and Horncastle (Victoria Atkins), opened the debate by talking about the beauty of the Lincolnshire Wolds. Without wanting to sound competitive in any way, I would like to remind colleagues of the wonders of the Cheshire Peak district—right next door to High Peak, of course—and Cheshire’s beautiful plain. I am grateful to Members on both sides of the House for setting out their views on rural crimes and public services, and I thank the Opposition for securing this important debate.

As the hon. Member for Workington (Sue Hayman) said, this has been a wide-ranging debate with contributions from across the United Kingdom, including from Scotland through the hon. Member for Glenrothes (Peter Grant), and from Wales with speeches from the hon. Member for Clwyd South (Susan Elan Jones) and the right hon. Member for Delyn (David Hanson). However, I must confess that I do believe that this debate was over-represented by Members from Lincolnshire, although we recognise that that is another great county.

The Government are committed to bringing sustainable growth to the rural economy, and to supporting and strengthening communities. We have talked a lot about crime. To reassure the hon. Member for High Peak, of course—and Cheshire’s beautiful plain. I would like to remind colleagues of the contributions from Members praising the North Wales and Derbyshire forces, for example. I would like to add my voice in paying tribute to the great work that Cheshire police do on these issues as well. DEFRA and the Home Office work closely with the National Police Chiefs Council’s wildlife crime network and the National Rural Crime Network. I recently went on patrol with Cheshire’s rural and wildlife crime team to see their work at first hand in the Macclesfield area.

It is important to recall that, although crime has a regrettable impact on victims wherever they are based, crime rates in rural areas are generally lower than in urban areas. For example, there were 3.9 vehicle offences per 1,000 population in rural areas compared with 8.5 vehicle offences per 1,000 population in urban areas. However, as we have heard, remoteness and isolation can increase the sense of vulnerability in those rural areas. There are types of crime such as hare coursing, fly-tipping and sheep-worrying that are a particular problem for rural communities, as has been well expressed today.

I recently heard from the Macclesfield branch of the NFU in Cheshire about how distressing livestock-worrying is for farmers and animals, and about how serious the financial repercussions can be for local farmers. I thank the NFU for producing its illuminating and constructive report, “Combatting Rural Crime”. That is an important contribution to this debate, as I think we will all agree. The NFU’s report is an excellent read and we are grateful for their efforts.

The Under-Secretary of State for Environment, Food and Rural Affairs (David Rutley): I recently heard from the Macclesfield branch of the NFU in Cheshire about how distressing livestock-worrying is for farmers and animals, and about how serious the financial repercussions can be for local farmers. I thank the NFU for producing its illuminating and constructive report, “Combatting Rural Crime”. That is an important contribution to this debate, as I think we will all agree. The NFU’s report is an excellent read and we are grateful for their efforts.

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DEFRA and the Home Office jointly fund the National Wildlife Crime Unit as part of efforts to prevent and detect wildlife crime. We have provided £301,000 of funding per annum for the next two years. That supports the unit’s important work in intelligence gathering and analysis of wildlife crimes, including some of the crimes mentioned earlier, such as hare coursing, rural poaching and the illegal wildlife trade. We heard more about that important work on Second Reading of the Ivory Bill on Monday.

This debate, however, has not just been about rural crime. It has also touched on public services in rural areas, which I will come on to later, because we must not miss those issues. It is vital that we address other points raised in the debate, including antisocial behaviour in some of our smaller communities. My hon. Friend the Member for Middlesbrough South and East Cleveland (Mr Clarke) talked about antisocial behaviour in Saltburn. I promise faithfully that my family were not responsible for contributing to that when we went body-boarding there during the recess—in the North sea fog, I hasten to add.

County lines challenges were raised by my hon. Friend the Member for South Suffolk (James Cartlidge), the right hon. Member for Delyn and my neighbour, the hon. Member for High Peak. This is a truly worrying and concerning development. The Home Secretary is co-ordinating a response to this scourge by overseeing a county lines working group with other Government Departments and law enforcement agencies to improve the response to drug dealing, the violent crime associated with it and the exploitation of vulnerable people, which includes those in a rural setting.

The hon. Member for Clwyd South and others raised concerns about speeding. It is true that we have some of the safest roads in the world, but we need to do more, and we need to innovate to find ways to reduce speed on these often very difficult roads. We found ways to do that on one of the most notorious roads, the Cat and Fiddle road going from Macclesfield to Buxton, where we significantly reduced traffic accidents as a result. We need to promote more actively the Government’s important THINK! campaign, particularly among younger people.

Much has been said about police funding. That has been dealt with well by the hon. Member for Sheffield, Heeley for the Opposition and by my hon. Friend the Minister. The 2015 spending review protected overall police funding in real terms. We recognise that we need to respond to changing demands on the police. That is why new flexibility has been given to police and crime commissioners so they can raise the income required to tackle specific local challenges. I am pleased that we have increased the overall investment in policing from £11.9 billion in 2015-16 to £13 billion in this financial year.

As my hon. Friend the Member for Gainsborough (Sir Edward Leigh), who is also from Lincolnshire, reminded us, we should not always be too gloomy about the challenges we face. Of course they are very real, but we need a greater understanding of and ability to respond to new technology. He talked about the use of drones. We need to be innovative in our approach. In Poynton, a village to the north of Macclesfield, we have an excellent emergency services hub where we bring together fire, ambulance and police services. We can get better at taking forward action by looking at innovation.

This is not just about the crime or policing element. We want to ensure that our public services and rural businesses thrive, to support rural communities and those who live in the countryside. We want this experience to be an opportunity, not a challenge, as we may have painted it today. Britain is blessed with beautiful and iconic countryside, which can provide a good quality of life, but we recognise too the challenges of rural life. We will look to support and encourage innovative solutions in the crime arena and also in other areas, such as community hubs in villages to host libraries, surgeries and outreach services.

DEFRA Ministers will continue to champion the interests of rural communities, working with other Departments, including the Home Office and the Department for Digital, Culture, Media and Sport on issues such as broadband and mobile reception, to ensure that rural communities can thrive and realise the very real opportunities that lie ahead.

Question put and agreed to. Resolved.

That this House is concerned that the level of rural crime remains high; notes research by the National Farmers’ Union that rural crime cost the UK economy £42.5 million in 2015; recognises that delivering public services across large, sparsely populated geographical areas can be more costly and challenging than in urban areas; agrees with the National Rural Crime Network that it is vital that the voice of the countryside is heard; calls on the Government to ensure that the personal, social and economic costs of crime and anti-social behaviour in rural areas are fully understood and acted upon; and further calls on the Government to ensure that rural communities are not disadvantaged in the delivery or quality of public services.

Peter Grant (Glenrothes) (SNP): On a point of order, Madam Deputy Speaker. I seek permission to raise a matter arising from comments made by the hon. Member for Banff and Buchan (David Duguid) during Prime Minister’s Question Time earlier today. I have advised the hon. Gentleman of my intention to raise a point of order this evening.

During Question Time, the hon. Gentleman stated that Scottish National party Members of the European Parliament had “voted to back the European Parliament in an attempt...to keep the UK inside the common fisheries policy”.

The records of the European Parliament Committee on Fisheries and of the plenary session show that on both occasions the SNP’s representatives voted against the proposal mentioned. I also have a letter from Ian Hudghton MEP confirming that on both occasions the vote of SNP Members was contrary to the way described by the hon. Gentleman today.

I absolutely accept that the hon. Gentleman acted in good faith, but given that it is now clearly established that his comments were mistaken, I seek your advice, Madam Deputy Speaker, about how the record may be corrected.

Madam Deputy Speaker (Mrs Eleanor Laing): As the hon. Gentleman knows, the Chair has no responsibility for what any Member says in the Chamber. He has taken the opportunity to raise what appears to be a genuine mistake on the part of another legislature, in that debate its records and I am glad that he has informed the hon. Member for Banff and Buchan (David Duguid), who has unwittingly made a mistake in giving a certain piece of information to the House.
The hon. Member for Glenrothes (Peter Grant) asks me how he might put the record straight. I would say that he has been wise and clever in using the device of a point of order to make sure that those on the Treasury Bench, the Hansard reporters, everyone else in the Chamber and those paying attention to these proceedings are aware that an error has occurred, and he has now taken this opportunity to put the record straight.

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

7.2 pm

Liz Twist (Blaydon) (Lab): It is a great pleasure to have secured this debate in the Chamber.

Three weeks ago, I met my constituents Margaret Ambaras and Laurel Holleran on a street in my constituency, together with Linda Oliver from Guide Dogs. All three of them are blind or have a serious visual impairment. Margaret and Laurel had asked me to go and experience the difficulties that blind people face when trying to navigate our streets—difficulties that could mostly be avoided. With some trepidation, but with support, I undertook a blindfolded walk along the street near where we met.

I am sure I am not the first MP to have undertaken this challenge—the Minister may well have undertaken it herself—but what I experienced really shocked me. The street where we met is in a residential area of Dunston without much street furniture and with reasonable pavements, but I found that navigating even for a short distance was fraught with difficulties. On this particular day, the bins were still on the street and most of the cars parked on the pavement were a real problem, particularly where it was not possible to pass the cars without going on to the road. Frankly, it was pretty hairy trying to get past the cars, and to work out where the kerb was and whether any traffic was coming. For part of the walk, I had glasses on that produced the effect of having tunnel vision, really restricting my ability to read the street and the pavement.

For me, the experience may have been scary, but it was at least temporary, and Margaret and Laurel were kind and took me to a busy residential area, rather than one where there are shops and other businesses, or lots of street furniture. As we talked after the event, they explained to me that, although they both now have guide dogs and have completed training through Guide Dogs, their independence is really constrained by pavement parking. Margaret told me that she still feels unable to go to her doctor’s surgery alone, because of cars parked along the narrow path she has to follow, meaning that she and her dog have to walk on a fairly narrow road, into the traffic.

Mr Jim Cunningham (Coventry South) (Lab): This is a timely debate, because constituents of mine, like those of a number of other MPs, are in a similar situation to that being described by my hon. Friend. They are asking for something to be done about parking on pavements, because it is a major problem for people with difficulties.

Liz Twist: I thank my hon. Friend for his contribution. Many of us have been approached by constituents about the issue.

As I have said, Margaret faces difficulties going to the doctor. Laurel also told me that she is worried about going out and that she has had problems with the audio announcements on the bus, because they do not always work or are sometimes made in such a jaunty tone by a canny Geordie lass that she just cannot catch what is being said.
Jim Shannon (Strangford) (DUP): The hon. Lady has secured an Adjournment debate on an important subject. Does she agree that, with 250 people a day starting to lose their sight in the United Kingdom of Great Britain and Northern Ireland, there is a real need for an increase in the number of specialised public buses and trains for the sight impaired in both rural and urban locations, to ensure that constituents with a sight impairment are not isolated?

Liz Twist: I very much agree that it is important not only that there is specialised transport, but that all public transport is accessible to people with a visual impairment.

Ruth George (High Peak) (Lab): My hon. Friend is making an important speech and I thank her for doing so. A constituent of mine who is blind asked for rail assist at his local station, but their only response was to give him a leaflet, which he could not read. Does my hon. Friend agree that that is wholly inadequate for people with a visual impairment?

Liz Twist: I most certainly agree that that is a real problem. That is an absolutely impossible situation. It is not so much rail assist as not caring about what happens to people with a visual impairment and not thinking it through.

Pavement parking is not just a problem for blind and partially sighted people; it is a real problem for wheelchair users and for parents with prams, buggies or young children in tow, who are often forced on to busy main roads to pass cars. Today, however, I want to focus on Margaret and Laurel and others who are blind. They have worked so hard to gain their independence, but cars parked on the pavement, and other pavement obstructions, are making life difficult for them—and dangerous in some circumstances. As I have said, other forms of transport cause problems, too, so we need to look at bus and rail services as well.

This is not a new problem. It has been talked about many times in this Chamber, but it really is about time that we actually did something to sort it out. I read in Hansard in 2015 the hon. Member for North Dorset (Simon Hoare) promoted a private Member’s Bill on the issue, but it goes back further than that time. That Bill was withdrawn following the Government’s commitment to hold roundtable discussions on the issue of pavement parking in particular, but there has been little or no action.

More recently, Transport Ministers have said that they will look at pavement parking in the context of traffic regulation orders. Over the short time I have been in this House, many hon. Members have questioned Transport Ministers on their plans to tackle pavement parking. The war of attrition seems to be showing modest results, as answers to the questions that I have looked at in Hansard have changed from, “We have no plans to do anything”, to leaving it to local councils to resolve the problem, to now saying, “We will look at how we tackle pavement parking as part of the work on TROs.” But we need faster action and we need more of it, please. We all know and understand the problems—we need to do something about them.

Local authorities can take some actions, such as designating specific areas and streets for no pavement parking, but, to be frank, it is a piecemeal approach to identify streets, go through what can be a long and costly TRO process and then try to enforce TROs at a time when local authorities are very stretched after years of reductions in grant funding. My local authority, Gateshead, has been looking at what it can do to help with the problem but, along with Guide Dogs and many other charities, it has concluded that we need a system like the one that currently operates in London, which allows for a blanket prohibition of pavement parking, but with opt-outs for specific purposes. It is clear and straightforward and does not allow for confusion, but it does give some flexibility when there are genuine reasons why it should be varied.

It will come as no surprise that I have a number of asks of the Minister. I am not going to ask her to sort out the bins—I can do that locally, with the council, thanks—but I have a number of specific asks of the ministerial team. Will the Department for Transport now introduce, as a matter of urgency, a new law on pavement parking, and will it announce a date for the delayed consultation on traffic regulation orders?

Will the Department update the guidance on the use and design of shared spaces? Shared spaces sound like a great idea to get traffic and pedestrians to behave reasonably, recognise each other and consider the needs of all road users, but for blind and visually impaired people they bring real problems, with their lack of kerbs and absence of pedestrian crossings, as the Women and Equalities Committee identified in a report last year.

Will the Department issue statutory guidance to licensing authorities to require that all taxi drivers undertake disability equality training? Margaret and Laurel both told me of situations that they had experienced, one in which a taxi driver had asked for a £25 fee, on top of the fare, to valet his car after the guide dog had been in the vehicle, and others in which drivers had been reluctant to take them with their dog. I know that that is not supposed to happen, but it does.

Will the Department consult on and publish regulations on the accessible information requirement as soon as possible? A Guide Dogs report showed that over a six-month period two thirds of vision-impaired passengers had missed their stop, as Laurel and Margaret have both done. It is really distressing for them and can be dangerous, because they are not sure of where they are or the layout of the area in which they are dropped off. That is really important. The Secretary of State already has the power to make regulations to require bus operators to provide accessible information, including audible and visual information. I understand that a consultation on regulations was planned for early 2017, with a view to the publication of regulations this year, but it has now been delayed and we see no signs of it happening. Can we get that consultation going now, please, so that we can get the regulations in place?

I wish to raise one more issue, which I suspect will be much more contentious. I recently heard about some new train carriages being produced for our railways by Hitachi in Newton Aycliffe that include accessibility features for blind and visually impaired people. That is absolutely great and as it should be, but the Government’s intention to take guards off some train services will compromise the safety of not only blind and partially sighted travellers but other passengers with disabilities. I urge the Government to recognise that point and change their position.
It is well past time that we tackled the problem of pavement parking and other transport issues for blind and visually impaired people, so that I can tell my constituents Margaret and Laurel that we really are addressing their safety on our streets and on public transport.

Delivering a transport system that is truly accessible to all is of great importance to me personally and to the Department for Transport. I hope that the hon. Lady will have seen the Department’s draft accessibility action plan, which was published for consultation last year, as evidence of the Government’s commitment to taking action to safeguard and promote the rights of all disabled passengers. Following the responses to that consultation, the Department is developing an inclusive transport strategy that will build on the draft accessibility action plan by setting out the immediate improvements that can be made to the transport system, as well as our longer-term aspirations.

Liz Twist: When are we likely to see the outcome of that consultation and when are we likely to see some real action?

Ms Ghani: The inclusive transport strategy is due to be published shortly. I am sure the hon. Lady will be very pleased when the report comes out. I cannot highlight the action points—obviously, I cannot divulge them—but she will be pleased when she sees the results considering the issues she has raised today.

The accessibility action plan will set out immediate improvements that can be made to the transport system, as well as our long-term aspirations of supporting the Government’s aim for disabled passengers to have the same access to transport as everyone else, enabling them to travel easily, confidently and without extra cost. The inclusive transport strategy will be published later this year. I am sure the hon. Lady will understand that I am not able to divulge all the details, but she will be very pleased with the outcome. There are some assurances I want to give the House today that are unique for supporting blind and visually impaired people using the transport system.

I am pleased that the hon. Lady undertook the guided walk. I was the chair of the all-party group on sight loss, because my father has a visual impairment. As well as assisting him at home and on transport, I have also spent some time as his carer, so I understand at first hand the particular difficulties for people with sight loss and visual impairment. Since becoming Minister, I have met the Guide Dogs for the Blind Association and the Royal National Institute of Blind People to hear the views of people with sight loss and visual impairment who are engaging with public transport. They raised a number of issues very similar to those raised by the hon. Lady. Let me take them one by one.

The first issue is parking on pavements. My father raises this all the time. I know that the hon. Lady recently wrote on this matter to the Under-Secretary of State for Transport, my hon. Friend the Member for Hereford and South Herefordshire (Jesse Norman), the Minister with responsibility for roads. I appreciate the difficulties caused to blind and visually impaired people by drivers parking on pavements. As the hon. Lady noted in her speech, parking on pavements in London is banned by default and is allowed only in exceptional circumstances. However, it is virtually the reverse outside London, where pavement parking is allowed unless local authorities seek a legal order to prevent it within a certain area.

Jim Shannon: It is not just the parking of vehicles on pavements; shops put tables, chairs and advertising boards out, too. For those of us who have good vision and can see them that is great, but a disabled person will not know they are there at all. It is not just the vehicles; it is what shops are doing as well.

Ms Ghani: The hon. Gentleman raises a very important point. Extra street furniture or clutter inhibits people in confidently navigating their community, especially streets that they know well. One bad experience can set them back, so we need to raise awareness, whether it is among shopkeepers, local authorities or people picking up rubbish and understanding the kind of debris they leave behind. I believe the hon. Gentleman is now the new chair of the all-party group on sight loss and visual health.

Jim Shannon indicated assent.

Ms Ghani: There are calls for the Government to introduce a law that bans all pavement parking across England, allowing it only in exceptional cases, thereby mirroring the case in London. The Minister with responsibility for roads is keen to make the process as simple as possible. Before seeking new primary legislation, we will evaluate the effectiveness of the current legislation that allows local authorities to take action themselves. We seek to understand the issues that are preventing them from taking action already. The Department will be taking forward that work over the coming months and will look to draw conclusions by the end of the year.

Liz Twist: I thank the Minister for that comment, but I am sure she will understand from her experience the difficulties that many local authorities have in acting on a piecemeal basis. Many are very keen on an overall approach that will make the rules much more clear and consistent. Local authorities can do things, but they are not in a position to do as much as they would like.

Ms Ghani: The hon. Lady raises a very valid point, which is why it is important that we base any legislation on evidence, to make sure that the guidance is absolutely appropriate, accurate, and level in constituencies and councils across the country. We want people to have similarly positive experiences when they navigate their local streets.

I turn now to taxi and private hire drivers who refuse to pick up people with assistance dogs or charge extra for doing so. That attitude and behaviour is just wrong. It is also unlawful. It is against the law to refuse carriage or to attempt to charge a higher fare. A small
number of taxi drivers are exempt—for example, there might be a medical reason why they cannot have an assistance dog in their vehicle—but otherwise this practice is unacceptable, and I called on local licensing authorities, including Gateshead, to take action against drivers who break the law. I expect local authorities, as does the hon. Lady. I doubt, to investigate complaints fully and pursue criminal prosecutions where appropriate.

Drivers who are convicted can be fined up to £1,000. The hon. Lady mentioned the experience of Margaret and Laurel. I recently spoke to the all-party group on disability, and a lady who came to that meeting had been momentarily denied access to a cab because she had a guide dog with her. It is just wrong. Local authorities have the power to require taxi drivers to attend disability awareness training, and I strongly urge them to make use of this power, as well as the powers to remove licences, investigate cases and impose fines of up to £1,000.

Liz Twist: Margaret, Laurel and Linda told me that it appeared to be rather too easy in some cases to get an exemption. They would like the process tightened up, with properly authorised GP certificates to prove the exemption. They would like the process tightened up, and the consultation on the draft accessibility action plan prompted a lot of feedback on this issue. Once again, my father regularly updates me on how such spaces are not working for him. In short, concerns about the safety of shared spaces, particularly for blind or visually impaired people and guide dogs, are coming through loud and clear. In the light of these continuing concerns, the Government are considering what further action might be appropriate and will make this clear when the inclusive transport strategy is published.

We take this issue very seriously, and the strategy will cover most of the issues that the hon. Lady has raised. We are considering what further action might be appropriate and will make this clear when the inclusive transport strategy is published. Does the Minister agree that that is not acceptable? Although Passenger Assist is available to wheelchair users in my constituency, there are no taxis that can accommodate passengers with wheelchairs. I am trying to arrange for some disabled constituents to visit the Minister in a couple of weeks, but they are having real problems in accessing any sort of public transport.

Ms Ghani: I take the hon. Lady’s point and will reflect on her concerns. An independent task and finish group is looking at taxis and private hire vehicles, and we await its report, which I hope will cover this area. I have a concern about this issue as well. There should be very few exemptions—there should be very good reasons why a driver cannot allow a passenger or guide dog into their cab—and we should be absolutely clear about what those are.

I move on now to talking buses. Audible information on buses is key to enabling disabled passengers to take journeys. Disabled people make 10 times as many journeys by bus as by rail, and it is essential that the service provided should be accessible to them. The provision of audible information on all buses will clearly make a huge difference in this regard, but some passengers have raised concerns that there is too much information on buses and that it confuses them even further, so although some bus companies have already introduced talking buses, they will not be required to do so by law until the relevant power in the Bus Services Act 2017 takes effect. We will consult later this year on the regulations that will bring these powers into force.

I accept that some early adopters of talking buses sometimes fail to provide the correct information or information at the right time to enable a blind or visually impaired person to get off at the right stop, and I appreciate entirely the distress this can cause. It only underlines the need to consult ahead of the legal requirement being introduced. We need clear evidence on how much information is needed, at what point in the journey and how often, and we need to factor it into any appropriate regulations. That will allow us to provide clear, evidence-based and legally mandated standards that all bus operators must meet, and that the Office of the Traffic Commissioners will have responsibility to enforce.

I now move to shared spaces, which are a particular concern for people with visual impairments. There is no single definition of “shared space”, but it generally means a space that has different road users, including vehicles and pedestrians, sharing the street. This might be very good for some people with disabilities, especially those in wheelchairs, but kerbs and controlled pedestrian crossings are sometimes removed, which can be particularly difficult for blind or partially sighted people.

The Disabled Persons Transport Advisory Committee, the Department for Transport’s statutory adviser on accessible travel, has written to me about this to highlight its concerns about shared spaces. In addition, the consultation on the draft accessibility action plan prompted a lot of feedback on this issue. Once again, my father regularly updates me on how such spaces are not working for him. In short, concerns about the safety of shared spaces, particularly for blind or visually impaired people and guide dogs, are coming through loud and clear. In the light of these continuing concerns, the Government are considering what further action might be appropriate and will make this clear when the inclusive transport strategy is published.

We take this issue very seriously, and the strategy will cover most of the issues that the hon. Lady has raised, but whatever action the Government and other authorities take to improve the rights of disabled passengers, it will make a difference only if those rights are effectively enforced. To this end, I recently met the chief executives of transport regulators, including the Office of Rail and Road and the Civil Aviation Authority, and underlined to them their responsibilities for ensuring that disabled passengers receive the services they are entitled to.

Ruth George: I want to make a point about Passenger Assist. My visually impaired constituent was simply given a leaflet that was supposed to enable him to travel. Does the Minister agree that that is not acceptable? Although Passenger Assist is available to wheelchair users in my constituency, there are no taxis that can accommodate passengers with wheelchairs. I am trying to arrange for some disabled constituents to visit the Minister in a couple of weeks, but they are having real problems in accessing any sort of public transport.

Ms Ghani: The hon. Lady is absolutely right. The purpose of Passenger Assist is to assist passengers with all kinds of disabilities, and handing out a leaflet is just not on. The role of Passenger Assist is to help passengers to reach their destination with the service for which they have paid. I look forward to meeting the hon. Lady and her constituents to discuss that further.

As I have said, I have met the regulators and reminded them of their responsibilities, and of the work they need to do to ensure that redress is available when things go wrong. That is another issue that we must tackle: when laws and regulations are in place, we must ensure that they are enforced.

I thank the hon. Member for Blaydon again for securing a debate on such an important issue, and I look forward to working with her and Members in all parts of the House to achieve our ambition to improve the travelling experiences of blind and visually impaired people.

Question put and agreed to.

7.26 pm

House adjourned.
House of Commons

Thursday 7 June 2018

The House met at half-past Nine o’clock

PRAYERS

[MR SPEAKER in the Chair]

Oral Answers to Questions

ENVIRONMENT, FOOD AND RURAL AFFAIRS

The Secretary of State was asked—

Deposit Return Scheme

1. Jessica Morden (Newport East) (Lab): Whether he has had discussions with the Chancellor of the Exchequer on introducing a deposit return scheme. [905701]

The Secretary of State for Environment, Food and Rural Affairs (Michael Gove): The answer is yes.

Jessica Morden: Tomorrow, a team from AB InBev brewery and Keep Wales Tidy will again be out cleaning up the shores of the Severn estuary, which highlights the very urgent action that is needed to protect our environment from the devastating impact of plastic pollution. Will the Secretary of State confirm that he has Treasury backing for a deposit return scheme, and when will we see some action?

Michael Gove: We have already seen formidable action to embrace the opportunities that a deposit return scheme would provide and to ensure that we deal with the environmental damage the hon. Lady mentioned. I should take this opportunity to say that it is not just the Treasury that recognises the importance of acting, but our colleagues in the Scottish and Welsh Governments, with whom we have had collaborative successful discussions as well.

Sir Patrick McLoughlin (Derbyshire Dales) (Con): Beyond incentives such as the deposit scheme, what discussions has my right hon. Friend had with the Chancellor about improving the UK’s recycling infrastructure so that we can recycle a wider range of products, such as coffee cups and microwave oven-ready cartons?

Michael Gove: My right hon. Friend the Chancellor has initiated a review of the taxation and treatment of single-use plastics overall. One of the things we want to do is to make sure that the money that producers remit as a result of using particular materials is used to ensure improved recycling across the country. I know that Treasury Ministers—not just my right hon. Friend the Exchequer Secretary—are working hard on these matters.

Leaving the EU: Agricultural Sector

2. Mr Alistair Carmichael (Orkney and Shetland) (LD): What plans he has put in place to support the UK agricultural sector in the event of the UK leaving the EU without a deal. [905703]

The Minister for Agriculture, Fisheries and Food (George Eustice): Whatever the nature of our future economic partnership with the European Union, we will design and implement our own independent agriculture policy based on financial rewards and incentives for the delivery of public goods, and support farmers in reducing their costs and adding value to their produce so that they become more profitable.

Mr Carmichael: I take it from that answer that we do not actually have any plans in place yet, and time is ticking. The Minister knows that something in the region of two thirds of our red meat exports go to the European Union. The lack of certainty about our future customs relationship with the EU is now causing real and substantial concern. When will the Minister remove that uncertainty?
George Eustice: I disagree with the right hon. Gentleman. We have already published our consultation on future agriculture policy—we are analysing the 44,000 responses—and we are looking at this closely. On the issue of trade, the UK is also a very important market for the European Union, notably for Irish beef, poultry from the Netherlands and pork from Denmark, so it is also in the EU’s interests to have a comprehensive free trade agreement.

Maria Caulfield (Lewes) (Con): Farmers in my constituency are concerned about a lack of focus on food production in agriculture policy post Brexit. Farmers are the biggest guardians of our environment, and they can protect the environment and produce food at the same time. What support will the Minister give farmers to enable them to produce food post Brexit?

George Eustice: I am grateful to my hon. Friend for making that point, and a number of farmers have also raised the issue with me. I would simply say that the consultation had sections on safeguarding a profitable future for farming, on fairness in the supply chain, on risk and resilience, and on investment in research and development, so there was lots on food production. I simply say that we want to change the way we farm so that it is more sustainable; not stop farming, or do work on the environment instead of farming.

Kerry McCarthy (Bristol East) (Lab): I asked the Minister back in March whether he had held meetings to discuss the problems that might arise because of the overuse of antibiotics in US farming, if we were to move to trading with the US and accept its standards. He would not confirm whether he had met representatives of the Department of Health and Social Care or the Department for International Trade to ensure that we could rule out imports of meat produced in the US, which has five times the use of antibiotics that we have in this country.

George Eustice: My right hon. Friend the Secretary of State recently met the chief medical officer to talk about the important issue of antibiotics use. We also have the O’Neill report, which set key targets for the UK to reduce its use of antibiotics, and the UK has campaigned globally through various international forums to reduce the use of antibiotics in agriculture.

Michael Fabricant (Lichfield) (Con): Would my hon. Friend be surprised to learn that farmers in my constituency, while hoping that there will be a trade deal with the European Union, say that Brexit will provide a marvellous opportunity regardless of whether there is any such deal? In particular, specialist food manufacturers such as cheese manufacturers feel that if we can do free trade deals with countries such as the United States and Canada, that will increase their sales.

George Eustice: My hon. Friend makes an important point. This is an opportunity for us to have a very different approach to agriculture policy and to support producers in this country as we look to the future. It is worth noting that analysis commissioned by the National Farmers Union shows that, even without a trade deal with the EU, most sectors in farming would see a slight firming in farm gate prices.

Pete Wishart (Perth and North Perthshire) (SNP): One of the most critical issues facing our rural communities is the need to ensure that we have a reliable seasonal workforce to harvest our produce this summer. At the Scottish Affairs Committee, the Immigration Minister said that she would not give anything to Scotland that she would not give to Lincolnshire. In Scotland, that went down like a trailer full of rotten raspberries, and I dare the Minister to repeat it. Will the hon. Gentleman tell Scotland—and indeed Lincolnshire—when he intends to announce a new seasonal workers scheme? What will he say to growers in Scotland and Lincolnshire who now face the prospect of their produce rotting in the fields?

George Eustice: As the hon. Gentleman knows, I spent 10 years working in the soft fruit industry and I understand the issue of labour in some detail. We are having discussions with the Home Office and other parts of Government about the future arrangements for immigration and a seasonal agricultural workers scheme.

Dr David Drew (Stroud) (Lab/Co-op): In the responses to “Health and Harmony”, the two areas of greatest concern were the impact of the withdrawal of the basic payments scheme on smaller farmers and tenant farmers, and the transition period. What discussions has the Minister had with the Treasury about extending the transition period, given that that must be the right way to approach this?

George Eustice: My right hon. Friend the Secretary of State spoke to the Chief Secretary to the Treasury about these issues just a couple of days ago. We made a clear manifesto commitment to protect spending on agriculture until 2022—the end of this Parliament. Thereafter we will have a new funded policy.

Flood Defences

3. James Frith (Bury North) (Lab): What assessment he has made of the effect of changes in the level of funding for flood defences on the effectiveness of those defences. [905705]

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (David Rutley): The Government are investing £2.6 billion to better protect the country from flooding. This includes a programme of more than 1,500 flood defence schemes, which will better protect 300,000 homes by 2021. The programme will deliver £30 billion of economic benefit for the next 50 years and is projected to reduce overall flood risk to the economy by 5% by 2021.

James Frith: The 2015 Boxing day floods devastated the Redvales and Radcliffe areas of Bury. The Environment Agency has drawn up a £37 million flood defence scheme for the area but, after raising £30 million between the EA, Greater Manchester and Bury Council, there is a £7 million shortfall. That shortfall would be covered if the bid with the Minister were successful. After being unsuccessful in the first round, we are to be considered again for funding from the £40 million pot for deprived areas. Can he update me on the progress of the bid? Successful bids to date have protected fewer than 100 homes, but ours would protect 1,200.
David Rutley: The hon. Gentleman has been a clear champion for his local community in raising these issues with the Under-Secretary of State for Environment, Food and Rural Affairs, my hon. Friend the Member for Suffolk Coastal (Dr Coffey). He can be assured that his bid is being given serious consideration in relation to the £40 million floods fund for growth and regeneration and that decisions will be made by the summer.

Dame Caroline Spelman (Meriden) (Con): Mr Speaker, I am sure that you have seen the devastating pictures of flooding in Birmingham, the wider west midlands and other parts of the country, including 30 to 40 homes in flooding in Birmingham, the wider west midlands and I am sure that you have seen the devastating pictures of flooding in Walsall following the extreme flash flooding earlier this month. I also pay tribute to the emergency services when his vehicle was submerged. Thanks to the Government’s efforts, the vast majority of households at high flood risk now have access to home insurance through Flood Re, which has active plans in place to engage with all communities after flood events once the immediate emergency has subsided.

Holly Lynch (Halifax) (Lab): I join the Minister in sending our sincere condolences to the family of the gentleman who sadly died in Walsall following the extreme flash flooding earlier this month. I also pay tribute to the emergency services and others who worked so hard to protect our communities during that period of extreme weather.

Further to the point made by my hon. Friend the Member for Bury North (James Frith), in the 2017 autumn Budget, the Government allocated £40 million to boost regeneration in communities at high risk of flooding but, six months on, not a penny has been allocated. Will the Minister tell the House what is causing that delay?

David Rutley: The allocation of flood defence funding is important, as the hon. Lady will appreciate, and it is being properly scrutinised. Conversations are being had and, as I said to the hon. Member for Bury North (James Frith), a decision will be made this summer.

John Howell (Henley) (Con): Will the Minister confirm that the creation of 15 hectares of new habitat remains a funded part of the Oxford flood alleviation scheme, which may affect my constituents?

David Rutley: I do not know the detail of that scheme, but I will talk about it in depth with my hon. Friend afterwards to give him the assurances that he needs.

Rachael Maskell (York Central) (Lab/Co-op): The best form of flood defence is upper catchment management, yet the £45 million provided in York is going towards downstream emergency measures. It was not incorporated in the national strategic review, so what are the Minister’s plans to start investing in upland management?

David Rutley: The hon. Lady makes an important point. Looking at natural ways to tackle floods, such as planting trees and wood-based flood defences further upstream, is a priority. We are taking that action further with a fund and a plan.

Martin Vickers (Cleethorpes) (Con): The Minister will recall that the entire Humber estuary, particularly my constituency, was badly affected by a tidal surge in December 2013. There is still concern among residents that insufficient work has been done. Will the Minister meet me and neighbouring MPs to provide an update?

David Rutley: I understand the concerns raised by my hon. Friend, and I am of course more than willing to meet him to discuss them in detail.

Producer Responsibility Systems

4. Mark Pawsey (Rugby) (Con): What steps he is taking to reform producer responsibility systems to incentivise producers to take more responsibility for the environmental effects of their products. [905700]

The Secretary of State for Environment, Food and Rural Affairs (Michael Gove): We are developing a renewed strategy on resources and waste, which will include reviewing how the producer responsibility scheme works to ensure that we can invest more in recycling.

Mark Pawsey: Does the Secretary of State agree that a reformed packaging recovery note system could provide funds for better recycling and waste collection, particularly for on-the-go packaging; reduce litter; and increase recycling rates? Does he also agree that that is a better option than the “latte levy” scheme, under which there is no assurance that the money will go towards environmental improvements?

Michael Gove: My hon. Friend, who knows a great deal about packaging, waste and recycling, makes an important point. If we impose particular costs on producers, we should whenever possible ensure that those costs then go towards environmental enhancement and improving recycling. I am sure that his well-pitched case will be heard with sympathy in the Treasury.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): I urge the Secretary of State to be radical here. Not only should he look at how PRNs work and their effectiveness, but he should consider the supply chain of those who make plastics. Professor Steve Evans at the Institute for Manufacturing in Cambridge believes that manufacturing will have to change fundamentally to tackle the problem. Will the Secretary of State speak to him?

Michael Gove: Not for the first time, the hon. Gentleman makes a thoughtful point. It is the case that the PRN scheme needs reform, but he is also right that we will have to think about how we change packaging and the supply chains upon which we have relied in the past. I will take up his kind invitation.

Mr Speaker: The Secretary of State is going have a chat with the prof, and that is very good to learn.
Leaving the EU: Environmental Standards

5. Deidre Brock (Edinburgh North and Leith) (SNP): What plans has he to ensure that environmental standards are maintained after the UK leaves the EU?  [905709]

The Secretary of State for Environment, Food and Rural Affairs (Michael Gove): As the House will know, the European Union (Withdrawal) Bill provides continuity and maintains high environmental and other standards as we leave the European Union. My Department is consulting on environmental principles and governance to ensure that we can have a world-leading body to hold the Government and others to account in order to maintain high environmental standards.

Mr Speaker: I think that the Secretary of State is seeking to group this Question with that of the hon. Member for Paisley and Renfrewshire North (Gavin Newlands).

Michael Gove: As ever, Mr Speaker, you anticipate my wishes with perfect clarity.

Deidre Brock: The “polluter pays” principle underpins the EU’s approach to protecting the environment. Will the Secretary of State commit to the post-Brexit watchdog having legally enforceable powers to make sure the polluter pays when it damages our land, air and sea, even if that is the UK Government breaking air pollution rules?

Michael Gove: The hon. Lady makes three very good points. First, yes, the polluter pays principle is an important one to maintain. Secondly, we do need enforcement powers. Thirdly, of course, if the UK Government are in breach of air quality rules, it will be the case, as in the past, that they have to be held accountable.

Michael Gove: The hon. Lady makes a good point. The Chilterns are blessed not only as an area of outstanding natural beauty, but with distinguished representatives in this House of all parties and none. One of the things I will seek to do is to work with the new reviewer of designated landscapes, Julian Glover, who is a distinguished writer and thinker, to ensure that the right protection and support are there not only for our existing national parks, but for our AONBs.

Mary Creagh (Wakefield) (Lab): The Secretary of State says that this new watchdog must have enforcement powers, but the watchdog he has proposed is completely toothless. It will be able to issue only advisory notices, not enforcement notices, and has no power to fine the polluter. The Secretary of State says that this new watchdog must have enforcement powers, but the watchdog he has proposed is completely toothless. It will be able to issue only advisory notices, not enforcement notices, and has no power to fine the polluter. The Secretary of State says that this new watchdog must have enforcement powers, but the watchdog he has proposed is completely toothless. It will be able to issue only advisory notices, not enforcement notices, and has no power to fine the polluter.

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Michael Gove: I am always happy to meet my hon. Friend to discuss this issue.

Dame Cheryl Gillan (Chesham and Amersham) (Con): The Secretary of State will be familiar with the Chilterns area of outstanding natural beauty and that, in common with other AONBs, it receives a support scheme for landscape protection and enhancement. Obviously, as a member of the European Union, we have to get derogations for the proposed landscape protection, but we are saying that the watchdog should start with one thing he has not done is spell out his vision for the future. It is also the case that Back-Bench Conservative colleagues have tabled amendments, and we are consulting on those amendments. The hon. Lady makes a good point that the House of Lords made a case in good faith for how the watchdog could be strengthened, and I always listen to the other place with respect.

Mr Speaker: I hope that colleagues now feel enlightened about the teeth situation.

Animal Cruelty

6. Andrew Rosindell (Romford) (Con): When he plans to publish the findings of his consultation on the draft Animal Welfare (Sentencing and Recognition of Sentience) Bill; and if he will bring forward legislative proposals on five-year sentences for animal cruelty.  [905712]
The Minister for Agriculture, Fisheries and Food (George Eustice): Our proposals to enshrine animal sentence in domestic law and to extend mandatory sentences for cruelty to five years received positive responses, and we plan to publish the findings of those consultations soon.

Andrew Rosindell: I thank the Minister for his reply. Given that five-year sentencing for animal cruelty has gained cross-party support from MPs, the animal sector and the public, will he tell us how soon he will announce the details of when sentences can be given to those guilty of such awful crimes?

George Eustice: I agree with my hon. Friend. Friend on the importance of this measure, and for some time I have pressed to have maximum sentences for cruelty extended, particularly for some of the most shocking cases of cruelty. The Government are committed to doing this, we have published how we intend to do it, and as soon as parliamentary time allows we intend to introduce this change.

Fracking

7. Mr Jim Cunningham (Coventry South) (Lab): What plans his Department has to limit the environmental effect of fracking. [905713]

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (David Rutley): DEFRA and the Environment Agency take the environmental risks associated with oil and gas exploration very seriously. We have a robust regulatory regime, drawn from global best practice and more than 50 years’ experience of regulating the onshore oil and gas industry safely in this country. The Environment Agency will issue a permit only if it is satisfied that any risks to people and the environment can be effectively managed.

Mr Cunningham: Given that lots of people are concerned in certain areas where fracking can happen, what is the Minister doing to hold meaningful discussions and involve them in the decision making, so that they feel that their voice has been heard?

David Rutley: As always, the hon. Gentleman asks an insightful question. Our regulatory regime currently lets local residents have their say on two stages in the environmental permitting process: when the application is received by the Environment Agency; and at the draft decision stage, before the permit is finalised. A public consultation takes place once the planning application has been permitted. On 17 May, the Secretary of State for Business, Energy and Industrial Strategy and the Secretary of State for Housing, Communities and Local Government set out that they would be strengthening community engagement further by consulting in due course on the potential to make pre-application consultation a statutory requirement.

Mr Dennis Skinner (Bolsover) (Lab): Why does the Minister not make a statement on behalf of the Government to stop fracking altogether?

David Rutley: The Government believe, rightly, that shale gas plays an important part in our energy mix and will be an important bridging fuel in the transition to renewable technologies.

Leaving the EU: Fishing Industry

8. Jim Shannon (Strangford) (DUP): What steps he is taking to support the UK fishing industry as the UK leaves the EU. [905714]

The Minister for Agriculture, Fisheries and Food (George Eustice): Leaving the European Union will provide new opportunities for the UK fishing industry, including in Northern Ireland. On leaving the EU, we will become an independent coastal state controlling access to our own exclusive economic zone, and the fisheries Bill announced in the Queen’s Speech last year will introduce the powers necessary to do this.

Jim Shannon: I thank the Minister for that response. For the fishing sector, it is important that fishing our own waters will take place. As he will know, the voisinage agreement continues to be an obstacle to that happening, so will he update us on what is happening in relation to that?

George Eustice: The hon. Gentleman makes an important point. The voisinage agreement gives Northern Ireland vessels and Irish Republic vessels access to one another’s waters, and it predates the existence of the EU. Following a decision by Ireland’s Supreme Court, its side of this has been suspended, pending further legislation. We intend to put further pressure on the Irish Government to raise this issue to ensure that they act on the undertaking they have given to re-establish their side of this agreement.

Peter Aldous (Waveney) (Con): Can the Minister confirm that he has a plan to get the UK fleet through the implementation period, in order to tackle the challenges of ensuring we have enough fish to catch and implementing the discards ban?

George Eustice: Yes, I can confirm that we do. We have been working in regional groups on the discards plan, looking at ways to deal with the problem of choke species. In the past week, I have written to Commissioner Vella with some suggestions on how we can adopt the right approach to deal with choke species, particularly hake in the North sea and haddock in the Celtic sea. I assure my hon. Friend that we are still working on these issues.

Dr Sarah Wollaston (Totnes) (Con): Given that unfortunately fishermen’s rights have been traded away during the transition period, is not the best way to guarantee that we regain full control of the exclusive economic zone after Brexit to rejoin the European economic area and the European Free Trade Association?

George Eustice: Fishing has not been traded away in the transition agreement. We have made it clear in that agreement that nothing will change for the time-limited period until the end of December 2020, but we will negotiate as an independent coastal state in that year, 2020, for fishing opportunities in 2021.

David Linden (Glasgow East) (SNP): The fishing industry is hugely important to Scotland, and many fishermen and boat owners want to know what steps the Government are taking to make sure that non-EEA nationals can access the sea.

Andrew Rosindell: I thank the Minister for his reply. Given that five-year sentencing for animal cruelty has gained cross-party support from MPs, the animal sector and the public, will he tell us how soon he will announce the details of when sentences can be given to those guilty of such awful crimes?
George Eustice: I know that the Scottish industry has raised the issue of labour, and its representatives recently met the relevant Home Office Minister. The Migration Advisory Committee is looking into the whole issue of our labour and migration needs after we leave the European Union, and representations have been made to the Home Office on the issue.

Douglas Ross (Moray) (Con): Fishing is extremely important to my Moray constituency, so will the Minister join me in welcoming—perhaps for the only time—the Scottish National party report this week that said that Brexit could generate £540 million for the fishing industry and 5,000 jobs?

George Eustice: My hon. Friend makes a very important point. Government Members are clear that we should leave the European Union and that there are opportunities for our fishing industry. The disaster for the Scottish fishing industry would be if we were not to deliver Brexit and leave the European Union, thereby throwing away those opportunities.

Waste Crime

10. Mary Robinson (Cheadle) (Con): What steps he is taking to tackle waste crime.

The Minister for Agriculture, Fisheries and Food (George Eustice): We recently strengthened the Environment Agency’s powers to tackle problem waste sites and we allocated an extra £30 million for waste enforcement in last year’s Budget. We have also consulted on tightening the permitting and exemptions regime to improve the waste sector’s performance. Later this year, we will publish a resources and waste strategy that will set out our wider approach.

Mary Robinson: I welcome the new powers given to the Environment Agency. Will my hon. Friend confirm that those new powers will enable it to curb effectively the rise of waste sites, which continue to break the law and blight our communities?

George Eustice: Yes, I can confirm to my hon. Friend that the new powers will enable the Environment Agency to do that. For example, they give the Environment Agency the power to lock gates and physically close down problem sites, and to require all waste to be removed from a site at which there are problems. We are also going to introduce tougher standards for those who hold licences.

Chi Onwurah (Newcastle upon Tyne Central) (Lab): On Monday, I shall join Newcastle volunteers on a litter-pick, but they cannot be expected to deal with the vast tubs of oil waste left by fast food outlets or mattresses left by landlords when their tenants change. What additional powers and resources will the Minister give to local authorities so that my constituents can live in the environment that they deserve?

George Eustice: We have already made it clear that we are going to consult on tightening up the powers to take action against people who give their waste to fly-tippers, so that we can bring them to account more easily. Later this year, our resources and waste strategy will address some of the issues that the hon. Lady mentioned.

Joan Ryan (Enfield North) (Lab): Additional powers are all well and good, but without additional resources, local authorities can do nothing effective because of the restrictions on their budgets. We have a particular problem in Enfield with things such as tyres and with skip companies not following legislation. It is difficult for the council to prosecute when resources are so tight, so what is the Minister going to do?

George Eustice: All such sites are covered by a permitting regime that is run by the Environment Agency. We have put £60 million of extra money into the Environment Agency in recent years, including £30 million in the past year to deal with these sorts of problems.

Topical Questions

T1. [905719] Jeremy Lefroy (Stafford) (Con): If he will make a statement on his departmental responsibilities.

The Secretary of State for Environment, Food and Rural Affairs (Michael Gove): Tomorrow is World Oceans Day, and my right hon. Friend the Prime Minister will travel to Canada to ensure that, in common with other G7 countries, we do everything we can to make sure that our marine environment is healthy. Much of the Government’s groundwork for the conference was undertaken by the Under-Secretary of State for Environment, Food and Rural Affairs, my hon. Friend the Member for Suffolk Coastal (Dr Coffey); I know that everyone in the House will wish her well for a speedy recovery and a return to the Front Bench.

Jeremy Lefroy: May I join my right hon. Friend in sending good wishes to our hon. Friend the Member for Suffolk Coastal (Dr Coffey)? Will he perhaps come to Staffordshire to see the excellent soft fruit, vegetable and salad farming that goes on there and also to discuss the needs for the future, in particular labour needs and needs for addressing the challenges and opportunities that lie before us?

Michael Gove: Absolutely. My hon. Friend makes a very good point. I had the opportunity to visit soft fruit and salad growers in Cambridgeshire and in Norfolk recently and I appreciate the labour concerns that they have. I will take the opportunity to visit Staffordshire as soon as I can.

Sue Hayman (Workington) (Lab): The Government’s 25-year environment plan sets out commitments to protect our natural environment. Will the Secretary of State outline the steps that he is taking to recognise and protect local wildlife sites, which are currently under threat of development from proposed changes to the national planning policy framework?

Michael Gove: I thank the hon. Lady for raising that question. I have had the opportunity to discuss these issues with the Minister for Housing and Planning, and we want no weakening in any protection for these sites.

Sue Hayman: I am sure the Secretary of State is aware that, if implemented, these proposals could effectively unprotect 42,000 sites in this country. May I ask whether he was consulted by the Ministry of Housing, Communities and Local Government before this policy was put forward?
If yes, how did this get into the policy, and if he was not consulted, why not, when the Government have such a strong commitment to the environment?

**Michael Gove:** Without going into all the conversations that we have had—and we have had a series of them with colleagues in the Ministry of Housing, Communities and Local Government—the inference that many have drawn from the way in which the consultation has taken place is not one that we considered to be warranted. That is why I provide the reassurance that I have at this Dispatch Box, and I know that colleagues in the MHCLG will do so as well thanks to the hon. Lady’s question.

**T3. [905722] Maria Caulfield (Lewes) (Con):** Small UK independent under-10 metre fishermen have historically been the big losers in the common fisheries policy. My fishermen in Newhaven are disappointed to learn that, post Brexit, fishing policy meetings are being held with big quota holders. Will the Minister commit to including the small independent under-10 metre fishermen in post-Brexit fishing policy discussions?

**The Minister for Agriculture, Fisheries and Food (George Eustice):** I can reassure my hon. Friend that I regularly meet members of the under-10 metre sector. Their trade body, the New Under Ten Fishermens Association, meets regularly and is actively engaged in discussions about future policy.

**T2. [905721] John Grogan (Keighley) (Lab):** Given the recent report that indicated there is an excess of incineration capacity in the United Kingdom, which is discouraging recycling, is there not a case now for a tax on incineration, or even a moratorium on new incinerators?

**Michael Gove:** I know that my right hon. Friend the Chancellor will look with interest at that submission for the forthcoming Budget.

**T5. [905725] Michael Tomlinson (Mid Dorset and North Poole) (Con):** Strange to relate, but heathland grazing is an innovative way to manage some of the most wild and beautiful parts of our natural environment in Dorset. Will my right hon. Friend meet me to discuss the Rural Payments Agency in general and its policy towards heathland grazing in particular?

**Michael Gove:** I absolutely will. My hon. Friend and I both have heathland in our constituencies and both of us know from personal experience how important grazing can be to the effective management of lowland heathland. It is absolutely the case that the RPA, under Paul Caldwell, is doing a good job, but I am absolutely committed to making sure that we support those who do such valuable work more effectively.

**T4. [905723] Alan Brown (Kilmarnock and Loudoun) (SNP):** As an indicator of the future, will the Secretary of State confirm once and for all that Scottish farmers will not see any of the £200 million EU convergence uplift money that Westminster has stolen from them?

**Michael Gove:** Westminster has not stolen anything from Scotland’s farmers. Indeed, it is only thanks to the strength and the unity of the United Kingdom that Scotland’s farmers have a firm platform on which to build. One of the things that I thought was striking at the general election, which we all remember with such fondness occurring only 12 months ago, was that Scottish National party colleagues, many of them talented individuals, lost their seats to Scottish Conservative and Unionist colleagues because rural Scotland knows that its interests are better represented by the party of the Union than by the divisive, grievance-mongering separatists who masquerade as Scotland’s voice but who are, in fact, Scotland’s girners.

**T6. [905726] Sir Desmond Swayne (New Forest West) (Con):** What about badger culling in low-risk areas?

**George Eustice:** I thank my right hon. Friend for raising that issue. We have no intention of rolling out badger culling throughout the low-risk area. However, in response to one single incident that we have had in Cumbria of an outbreak that has got into the badger population in a limited way, we have consulted to ensure that we have the option to deal with that following veterinary advice and the advice of our chief scientific adviser.

**Helen Goodman (Bishop Auckland) (Lab):** The Secretary of State is using his current role to flirt with radicalism—in particular, taking cheap shots at the payments made to the landed aristocracy. Rather than capping total amounts paid in the future scheme, would it not be more sensible to look at the rate of return and the marginality of the land?

**Michael Gove:** The hon. Lady, who is a former Treasury civil servant, makes a vital point. As a Conservative, when I take shots at the landed aristocracy, they are not cheap. I find that when the landed aristocracy want others to undertake shooting with them, they often ask quite a high price.

**Mr Speaker:** The Secretary of State obviously speaks with experience of these matters, of which I confess I have none.

**Vicky Ford (Chelmsford) (Con):** In the past couple of days I have received a veritable flurry of emails from my constituents, who want to ensure that our environmental laws will be strengthened, or at least maintained, after Brexit. What reassurance would the Secretary of State like to give to the people of Chelmsford?

**Michael Gove:** I thank my hon. Friend for making that point and for her advocacy for this cause. We are listening with respect to the arguments that have been made by her constituents, Members of the other place and the public about the need to maintain and enhance high environmental standards. That is why we will be looking with interest at some of the amendments tabled by Back-Bench colleagues.

**Mr Clive Betts (Sheffield South East) (Lab):** Just before the recess, the Secretary of State for Business, Energy and Industrial Strategy and the Secretary of State for Housing, Communities and Local Government made an announcement about proposals for a consultation to create a single shale gas regulator. Can the Secretary...
of State assure the House that there will be absolutely no change to the powers of the Environment Agency to protect our environment on fracking sites?

Michael Gove: Yes, I can. The Environment Agency has been very clear about the vital role that it plays in providing assurance that environmental safeguards are always in place when hydraulic fracturing or other forms of hydrocarbon extraction take place.

Mr Speaker: Single sentence questions now.

Stephen Kerr (Stirling) (Con): What consideration has the Secretary of State given to including hippos and other ivory-bearing species in the Ivory Bill?

Michael Gove: We are looking forward to discussing this in Committee and looking sympathetically on well-made cases.

Mrs Emma Lewell-Buck (South Shields) (Lab): The Department’s own family food survey found that even when poorer households buy cheaper food, they still spend a higher proportion of their income on it than average households, because of low wages. Does the Secretary of State still stand by his patronising comments that poorer people find “solace” in eating cheap junk food?

Michael Gove: My comments to the all-party parliamentary environment group, which were inspired by a very good question from the hon. Member for Bristol East (Kerry McCarthy), were explicitly designed to say that we should not patronise or judge people on poorer incomes for the choices they make. I know that the hon. Member for South Shields (Mrs Lewell-Buck) is very busy, but had she been there she would have had a better understanding of the context in which those comments were made.

Robert Courts (Witney) (Con): What are the Government doing to introduce and increase the use of biodegradable packaging?

Michael Gove: We recognise that biodegradable packaging should be an alternative to existing forms of packaging wherever possible. We are considering how we can change the taxation and regulation of packaging in order to facilitate the use of biodegradable materials.

Chris Bryant (Rhondda) (Lab): What is the Secretary of State going to do to stop the ludicrous and unpleasant practice of farmers illegally putting up great big hoardings in their fields, on the side of motorways? Surely one of the things that makes the British landscape different from elsewhere in Europe is that we have legislation to prevent that.

Michael Gove: I share the hon. Gentleman’s commitment to ensuring that our green and pleasant land stays beautiful, and I will investigate this matter.

Rachel Maclean (Redditch) (Con): What reassurances can my right hon. Friend give the all-party parliamentary group on endangered species that the protections in the Ivory Bill will be in place in time for the illegal wildlife trade conference in the autumn?

Michael Gove: My hon. Friend makes a very good point. The conference, which will take place on 10 and 11 October, is critical in bringing together international co-operation to help safeguard endangered species. I hope that, with the leave of the House, we will have legislation on the statute book well before then.

CHURCH COMMISSIONERS

The right hon. Member for Meriden, representing the Church Commissioners, was asked—

Clewer Initiative

1. Joan Ryan (Enfield North) (Lab): To ask the right hon. Member for Meriden, representing the Church Commissioners, what progress the Church of England has made on the Clewer initiative to tackle modern-day slavery.

Joan Ryan: I welcome the Church of England’s commitment to tackling modern slavery. Can the right hon. Lady confirm whether the exploitation of vulnerable young people and adults in the county lines drugs trade is also a focus of the Clewer initiative? What work is the Church doing with the police, the Government and other parties to tackle this menace?

Dame Caroline Spelman: The Church works very closely with a large number of partners in order to try to stamp out modern-day slavery, including the Licensed Taxi Drivers Association, the National Crime Agency, the National Police Chiefs Council and immigration service officers—all the parties that need to be involved. The exploitation of very young, vulnerable children in trafficking drugs for illegal gangmasters is something that all these agencies need to work together on, and the Church supports that strongly.

Mr Peter Bone (Wellingborough) (Con): I am sure that my right hon. Friend will recognise the work that faith communities do in protecting the victims of human trafficking. Will she welcome the role of the Clewer initiative in detecting trafficked people in our communities?

Dame Caroline Spelman: I thank my hon. Friend for his question. In March, the Clewer initiative launched a campaign called Hidden Voices, basically so that all of us open our eyes and our ears to the slavery that is all around us. It provides residential training courses for faith communities and day courses, so that we all become more sensitised to see what is happening around us.

Middle East

2. John Grogan (Keighley) (Lab): To ask the right hon. Member for Meriden, representing the Church Commissioners, what initiatives the Anglican communion is supporting in the diocese of Jerusalem to help promote peace between the Israeli and Palestinian Christian and Muslim communities.

[905690]
Dame Caroline Spelman: One of the most important ministries of the episcopal diocese of Jerusalem has been the ministry of dialogue and reconciliation between Christians, Muslims and Jews. Its archbishop recently announced the establishment of the diocesan department for peace, reconciliation and interfaith dialogue. We were very lucky, Mr Speaker, recently to have a visit from the Dean of Jerusalem to the Houses of Parliament to talk about its work.

John Grogan: Is the right hon. Lady worried that the number of Christians in the Palestinian territories is declining? What more can be done to bring together, in particular, young people of different faith communities?

Dame Caroline Spelman: The hon. Gentleman makes a very important point. The Christian community on the west bank has plummeted as people have left in droves to come to live in Europe or to go to live in America. It is a particular challenge to persuade young people to remain. If they leave for university, it is quite often difficult to get back. So the Church is working very hard on this. There is a scheme whereby children from the region can do exchanges with children in other places. For example, 16 children from the Zebabdeh community did an exchange with Ballinteer Community School in Dublin. This enables them to see beyond their tight and very difficult world but also to feel supported in remaining in their homes, where their roots are.

Jeremy Lefroy (Stafford) (Con): On Maundy Thursday this year, I had the privilege of attending a service at St Paul’s church in Shefa-Amr, the Anglican church in northern Israel. I commend the work that the Anglican diocese of Jerusalem does throughout the entire diocese, both in Israel and on the west bank. May I urge my right hon. Friend perhaps to visit some of these churches and encourage them as they support their congregations in this wider ministry?

Dame Caroline Spelman: There is no substitute for a first-hand account. I know that my hon. Friend is knowledgeable about the work that the Anglican Church does with all communities in Israel. I hope that, one day, in the not too distant future, I shall get the chance to go to see this for myself, perhaps with some colleagues who have also not had the opportunity to visit the holy land.

Dr David Drew (Stroud) (Lab/Co-op): Earlier this year, the Church of the Holy Sepulchre was shut to visitors because of some pressure that the Israeli authorities were putting on because of land changes. Will the right hon. Lady make sure that, through her dialogue with our Church, she talks to the Israeli authorities to make sure that that church is kept open, because visitors want to visit it?

Dame Caroline Spelman: When the Dean of Jerusalem came to visit parliamentarians in both Houses, he explained in great detail the political background to what is going on. If I share with the House that this gentleman is a Christian Israeli, and actually no less than the son of a carpenter from Nazareth, perhaps Members will see that there was no person better qualified to explain to us, as British parliamentarians, just how complicated the situation is in Jerusalem. I think we have to trust the people who really understand this well to try to work through to peaceful solutions for that part of the world.

Columba Declaration

3. Andrew Bowie (West Aberdeenshire and Kincardine) (Con): To ask the right hon. Member for Meriden, representing the Church Commissioners, what progress has been made since the Columba declaration on promoting closer ties between the Church of Scotland and the Church of England. [905691]

Dame Caroline Spelman: The Columba declaration was designed to set up a contact group to initiate and promote activities that strengthen the partnership in mission between the Church of England and the Church of Scotland. It was set up and met for the first time in November 2017.

Andrew Bowie: I thank my right hon. Friend for her answer. In this year, when the Church of Scotland General Assembly has in the Right Rev. Susan Brown elected its fourth female moderator and London has gained its first female bishop, might my right hon. Friend expand on the work that the Churches are doing to attract a wider range of applicants to the ministry?

Dame Caroline Spelman: First, through my hon. Friend, I would like to congratulate the Right Rev. Susan Brown on her appointment. This is now an increasingly strong trend. The Queen has just named the Very Rev. Vivienne Faull as the next Bishop of Bristol, which brings us to a total of 15 female bishops in the Church of England. The ministry department within the Church is also conscious of the need to diversify and encourage more applicants from black and minority ethnic backgrounds. It has set up a mentoring scheme, and if any hon. Members would like to be mentors for applicants from those communities, they would be very welcome.

LGBTQ Community

4. Michael Fabricant (Lichfield) (Con): To ask the right hon. Member for Meriden, representing the Church Commissioners, what steps the Church of England and Anglican communion are taking to promote a more tolerant attitude towards members of the LGBTQ community; and if she will make a statement. [905692]

Dame Caroline Spelman: It so happens that my hon. Friend’s constituency lies in the diocese of Lichfield, which has just issued new guidelines that call for a Church where LGBTQ people feel welcomed and honoured. That letter was sent to all clergy and lay ministers in the diocese, which has 600 churches and covers a population of 2 million people.

Michael Fabricant: My right hon. Friend will understand that the whole question of gay marriage has not exactly endeared the Church of England to gay people. Nevertheless, I am encouraged by what she says. Perhaps she could expand a little more on what is happening in the Lichfield constituency, which extends all the way to the border with Wales.

Dame Caroline Spelman: All four Bishops in that diocese—the Bishops of Lichfield, Wolverhampton, Stafford and Shrewsbury—are signatories to that initiative,
which gives practical expression to what the Archbishop of Canterbury was referring to when he talked about radical Christian inclusion.

Dame Cheryl Gillan (Chesham and Amersham) (Con): My right hon. Friend knows that same-sex marriages can receive a blessing in some churches, but sadly can be refused in others. What can she do to ensure that that inequality is addressed immediately and that this very important ceremony is offered throughout all our churches in the United Kingdom?

Dame Caroline Spelman: Across the Anglican communion, this is a difficult subject; I acknowledge that. Not all people either in this country or across the wider communion are of one view. The Church is working very hard to try to obtain better understanding. A conversation ensued across the Church of England to try to help people of different points of view to come to a greater understanding of the other person’s point of view, and the Bishop of Newcastle is tasked with running a group relating to sexuality in the Church. Blessings, where they occur, are often at the discretion of the diocese, and the Church is nothing if not a devolved institution.

Bell Ringing

5. Mr Philip Hollobone (Kettering) (Con): To ask the right hon. Member for Meriden, representing the Church Commissioners, what steps the Church of England is taking to promote bell ringing. [905693]

Dame Caroline Spelman: Mr Speaker, in case you are looking for a new hobby that will build on your already excellent level of fitness and mental alertness, you need look no further than bell ringing. Churches are always looking for new volunteers to whom they can show the ropes.

Mr Speaker: I am most grateful to the right hon. Lady for her advice. I have been to the church in Lillingstone Lovell—to mention just one location in my splendid constituency—where there are some very enthusiastic and capable bell ringers. Maybe other invitations will be forthcoming.

Chris Bryant (Rhondda) (Lab): But there are bats in that belfry.

Mr Speaker: There may be bats in the belfry; I do not know. The hon. Gentleman is chuntering from a sedentary position. Whether he does so with the advantage of knowledge of the matter is a divisive proposition.

Mr Hollobone: In contrast with bell ringers in churches in most other countries in the world, in this country, bell ringers can change the order in which the bells are rung, thus allowing for great creativity and the creation of wonderful different sounds. It is a startling fact that 95% of all the churches in the world where that is possible are located in England. Is not now the time to celebrate this wonderful part of English heritage and unique contribution to church music?

Dame Caroline Spelman: My hon. Friend has done a good job of presenting the significance of bell ringing in our culture and its wider impact across the world. That significance is recognised by the Church of England, and the Central Council of Church Bell Ringers has promoted a campaign called “Ringing Remembers”, the purpose of which is to recruit 1,400 new bell ringers in honour of the 1,400 who lost their lives in world war one. The endeavour will be to ring the bells of churches throughout the land on the centenary of the Armistice this year.

Mr Speaker: I gather, by the way, that bell ringing is quite a strenuous business; it is not to be underestimated by colleagues.

Jim Shannon (Strangford) (DUP): The wonderfully historic Anglican church, St Mark’s in Newtownards in the heart of my constituency, has a working belfry. Does the right hon. Lady believe that there is an acceptable level of funding to help with the upkeep of such towers and their bells? If not, will she apply pressure on the Government to ensure that there is?

Dame Caroline Spelman: I had the great privilege of ringing a bell in a Church of Ireland church, and I congratulate the hon. Gentleman on highlighting the significance of bell ringing in his constituency. If hon. Members have in their constituencies churches that are in need of grants or funds for the restoration of bells—time is short before the centenary of the Armistice—the ChurchCare website has grants available to repair and restore bells. Other sources of funding are also available—indeed, a grade 1 listed church in Castle Bromwich secured funding from English Heritage. Grants are available, and Members should assist their churches in securing them so that they may be part of the great occasion of the centenary of the Armistice.

Nigeria: Violence against Christians

6. John Howell (Henley) (Con): To ask the right hon. Member for Meriden, representing the Church Commissioners, what steps the Church of England and Anglican Communion are taking to tackle violence against Christians in Nigeria. [905694]

Dame Caroline Spelman: My hon. Friend is a trade envoy to Nigeria, and he has a wealth of knowledge about that part of the world. The Archbishop of Canterbury also has a great deal of knowledge about Nigeria, having lived and worked there, and he cares deeply about the persecution of Christians around the world. He has appealed publicly and directly in face-to-face meetings to the Nigerian President, to try to bring the violence against Christians to an end.

John Howell: After the recent terrible massacre of Christians attending church in the middle of Nigeria, the President was summoned to Parliament, service chiefs and security advisers had motions of no confidence passed against them, and Parliament was suspended. Does that not show that the country is taking the problem seriously?

Dame Caroline Spelman: There is no doubt that the problem is being taken to the heart of the Nigerian constitution and its institutions. I remind my hon. Friend that on 22 May we had a debate in Westminster Hall at which many Members raised reports from Christian Solidarity Worldwide about the terrible violence perpetrated against Christians, particularly in the north of Nigeria, but also in the middle belt and as far south as Delta state where the oil is. Let us not forget that there are still
Chibok girls in captivity. The issue may have fallen from the top hit list of interests and press themes, but young girls are still held in captivity; one of them in May spent her 15th birthday in captivity because she would not renounce her faith.

Mr Speaker: I am certain that Christian Solidarity Worldwide, which is a magnificent organisation, will appreciate the tribute that the right hon. Lady has just paid to it, and she will share my conviction that it is fantastically represented by Ben Rogers, among others.

Religious Literacy Training

7. Helen Goodman (Bishop Auckland) (Lab): To ask the right hon. Member for Meriden, representing the Church Commissioners, what steps the Church of England is taking to support the provision of religious literacy training for Government Departments and embassies.

Dame Caroline Spelman: The Church of England fully supports the provision of religious literacy training across all Government Departments. The Foreign and Commonwealth Office provides religious literacy training through the LSE Faith Centre, following an open competition. It is essential that diplomats abroad and officials here at home understand the histories of different faiths.

Helen Goodman: I am grateful to the right hon. Lady for that answer. Religious conflict is obviously worst in the middle east. My understanding is that the training is not compulsory. Will she have a conversation with the Minister with responsibility for the middle east and north Africa about this matter?

Dame Caroline Spelman: Despite the training provided by the LSE Faith Centre receiving excellent reviews, the uptake is disappointing. Perhaps the hon. Lady would like to join me in having a conversation with the Minister for the Middle East, my right hon. Friend the Member for North East Bedfordshire (Alistair Burt), who is very knowledgeable about the area, to see if we can advance take-up of the course across all Government Departments.

Overseas Orphanages

8. Mr Barry Sheerman (Huddersfield) (Lab/Co-op): To ask the right hon. Member for Meriden, representing the Church Commissioners, what guidance the Church of England issues to parish churches on support for orphanages overseas.

Dame Caroline Spelman: The Church of England works internationally to support vulnerable children in various ways through its diocesan links and through Anglican mission agencies. It regularly assesses the range of support provided to make sure of best practice, especially with regard to vulnerable children.

Mr Sheerman: It is evident that there are many good orphanages in the most troubled parts of the world. There is also evidence, however, that some are used for child trafficking and are not really orphanages. Will the right hon. Lady join me in writing to the Archbishop of Canterbury to ask for a meeting and a commission on this involving all the aid agencies? I am bringing together all my local churches and other faith groups to discuss the issue. We must have an assurance that money raised by churches in this country goes to the right places.

Dame Caroline Spelman: The hon. Gentleman and I have both seen the presentation by the charity Home for Good. It brought to our midst an Australian Senator who is pioneering an amendment to modern-day slavery legislation on orphanage trafficking. She made a very important point that there is a cognitive dissonance. In this country, we would not tend to go first to an orphanage as a solution for the needs of a vulnerable child, yet we often give resources to such provision abroad without actually knowing whether they definitely get to the source and whether the children are well cared for by that source. It is very important that we pursue this topic rigorously and I am willing to support the hon. Gentleman's multi-agency approach.

Affordable Housing

9. Meg Hillier (Hackney South and Shoreditch) (Lab/Co-op): To ask the right hon. Member for Meriden, representing the Church Commissioners, what the Church of England's policy is on the development of affordable housing on Church land.

Dame Caroline Spelman: In England, the Church Commissioners have identified land for development which has the potential to provide an estimated 24,000 new homes, including more than 30% affordable homes, subject to the requirements of the local planning authority.

Meg Hillier: That is a good news. I am sure the right hon. Lady will not be surprised that, in my constituency, which has such a severe housing problem, many of my churches are keen to deliver their Christian mission in part by providing long-term properly affordable homes. St John's Hoxton has hit a real problem. Because it is in a heritage setting, it is grade 2 listed. Paragraphs 144 and 145 of the national planning policy framework, on planning and development, prohibit the church from building, and prohibit the council from giving it permission to build, affordable homes on the site. Is she or the Church having conversations with the planning authorities about how to change the law?

Dame Caroline Spelman: I am grateful to the hon. Gentleman for advance notice of this case. I have looked at it and I think the difficulty is that a range of local stakeholders, including Historic England and the local planning authority, do not support the proposed scheme. The difficulty relates to constructing houses on green space, which is also at a premium in London. To give her some encouragement, in the adjoining diocese of Southwark, a very similar scheme was passed after a couple of years of to-ing and fro-ing and trying to make it acceptable to all stakeholders. I encourage her to work together with all stakeholders to try to find the optimum solution.

HOUSE OF COMMONS COMMISSION

The right hon. Member for Carshalton and Wallington, representing the House of Commons Commission, was asked—

Division Lobbies

10. David Linden (Glasgow East) (SNP): To ask the right hon. Member for Carshalton and Wallington, representing the House of Commons Commission, how
many accidents or injuries have been reported in the Division Lobbies during a Division in each year since 2008.

Tom Brake (Carshalton and Wallington): I am afraid that information has been collated only since 2012, but there have been two incidents involving Members hurting themselves, I think using the steps into the Division Lobbies, one this year and one last year.

David Linden: I am grateful to the right hon. Gentleman for that answer. I have only been here for less than a year and in that time I think I have seen three or four incidents, not least with pregnant female colleagues fainting in the Lobby. It seems rather bizarre that we stuff hundreds of people into a locked room for Divisions. Next week, we will have no fewer than 15 Divisions. Will the right hon. Gentleman undertake to look at electronic voting, which would make this place at least look like it is in the 21st century?

Tom Brake: I rather anticipated that that would be the hon. Gentleman’s line of inquiry. The first thing I would say is that Members who suffer an injury should report it. On the two incidents I mentioned, action will be taken to improve lighting. That should happen next month. On electronic voting, he will know from the answers I have given in the past that this is perhaps very much a matter for a Backbench Business debate and for the Procedure Committee to consider.

CHURCH COMMISSIONERS

The right hon. Member for Meriden, representing the Church Commissioners, was asked—

Gay Conversion Therapy

11. Mr Ben Bradshaw (Exeter) (Lab): To ask the right hon. Member for Meriden, representing the Church Commissioners, what recent discussions the Church of England has had with Government Ministers on the General Synod’s resolution on gay conversion therapy; and if she will make a statement.

The Second Church Estates Commissioner (Dame Caroline Spelman): I am grateful to the right hon. Gentleman, because this allows me to update the House on the similar question that he asked me in January. I did follow my promise to write to the Under-Secretary of State for Health and Social Care, my hon. Friend the Member for Thurrock (Jackie Doyle-Price), who has responsibility for mental health, and arrange a meeting with her, which was constructive—the right hon. Gentleman came with me. She explained that the Department is surveying the extent of gay conversion therapy. I wrote to her again on 23 April requesting a copy of that Government survey, so that we might all benefit from their findings.

Mr Bradshaw: I thank the right hon. Lady very much for what she has done to help on the issue of the intolerable practice of conversion therapy. Can I ask her to go back to the Minister and ask for a timescale? The Minister acknowledged that the problem was bigger than the Government had hitherto recognised and she did promise action. It would be nice to know when we might see that action.

Dame Caroline Spelman: To bring this absolutely up to date, I received a response from the Minister for Women and Equalities on the subject, which stated that the Minister would welcome another meeting with us, so I suggest that we take her up on her kind offer.

Mr Speaker: Very useful, thank you. I think the House owes a considerable debt of gratitude to the Second Church Estates Commissioner, the right hon. Member for Meriden (Dame Caroline Spelman), perhaps today, even more than ordinarily, because she has answered 10 of the 11 questions. In the process, she has undergone something of an exercise routine, having had to bounce up and down repeatedly to attend to the queries of right hon. and hon. Members. We are very greatly obliged to her for the quality of her answers and for the spirit in which they have been provided.

Chris Bryant (Rhondda) (Lab): Her reward is in heaven.

Mr Speaker: For the benefit of those listening to our proceedings, the hon. Member for Rhondda (Chris Bryant) chunters from a sedentary position that the right hon. Lady’s reward is in heaven.
Heathrow

10.36 am

Justine Greening (Putney) (Con): (Urgent Question):

To ask the Secretary of State for Transport if he will make a statement on the potential taxpayer liabilities that the Government have entered into in their statement of principles agreement with Heathrow Airport Ltd.

The Parliamentary Under-Secretary of State for Transport (Jesse Norman): Let me thank my right hon. Friend. Friend the Member for Putney (Justine Greening) for raising this issue. She has been absolutely indefatigable on it, and I salute her.

As the Secretary of State set out in his oral statement on Tuesday, we recognise the very strong feelings on this matter of some Members across the House and their constituents. I am aware of the various representations that have been made in the Chamber that Government would be liable for Heathrow’s costs should they decide to withdraw support from the scheme. These representations appear to stem from a clause in a non-legally binding agreement between Heathrow and the Department for Transport that has, I am afraid, been taken out of context.

The question was addressed by the Secretary of State for Transport on Tuesday and by the Prime Minister yesterday. Let me repeat in the clearest possible fashion that there is no liability here. The Government have not entered into any agreement that gives Heathrow the right to recover its losses in the event of the scheme not proceeding, and nor would they accept any liability for any of the costs that Heathrow Airport Ltd has incurred or will incur in the future.

For the avoidance of any doubt, I will quote directly from the document in question, which says that “this Statement of Principles does not give either HAL or the Secretary of State any right to a claim for damages, losses, liabilities, costs and/or expenses or other relief”. We are absolutely clear that we would have a responsibility to Parliament when a liability or, indeed, a contingent liability were incurred.

Yesterday, the Government laid before Parliament a written ministerial statement and departmental minute that set out what was a contingent liability for statutory blight, which will start if the proposed airports national policy statement is designated. The liability is contingent because the Government have rightly protected the taxpayer by entering into a binding agreement with Heathrow Airport Ltd whereby the airport assumes the financial liability for successful blight claims, if the scheme proceeds.

With regard to wider scheme costs, the answer is simple: we have not notified Parliament of any liability because there is none.

Justine Greening: I am very grateful to the Minister, for whom I have a lot of respect, for coming to the House today. He mentioned one part of the statement of principles, but he will also know that the immediate clause after that says “notwithstanding...2.1.5” —that is, the paragraph he just read out. In other words, it says that in spite of that, Heathrow Airport Ltd “reserves its rights (including but not limited to its rights to pursue any and all legal and equitable remedies (including cost recovery) available to it”;

and I set out that yesterday. It has clearly been written by a lawyer. If it does not matter legally, why did Heathrow Airport Ltd include it in the statement of principles? It paves the way for Heathrow to recover costs from the taxpayer when things go wrong. As the Secretary of State himself said on Tuesday, there are circumstances in which the runway could be built but then not used.

My questions are as follows. Why was this term agreed to in the first place? Heathrow is a private company, and should therefore accept the risks. Why was it agreed to exclusively for Heathrow Airport Ltd? Were the Secretary of State and the Department for Transport clearcut with Parliament about the existence of the clause, and if not, why not? Why was it never flagged up in the national policy statement documents that have been seen by the public? What assessment have Ministers made of the existing outstanding liability under the clause, given that it has already been triggered, and will the Minister confirm that my own assessment is correct?

Was the Cabinet Sub-Committee that made the decision to proceed with Heathrow Airport Ltd’s proposal made aware of the clause? For transparency purposes, will the Minister publish the papers that the Sub-Committee did look at, so that we can establish the level of detail that was available to it when it reached its conclusion? Why should the Minister have any faith in the prospect that if the Heathrow expansion goes wrong—as I suspect it will—and the company pursues the Government and taxpayers for potentially billions of pounds in costs, it will then honour any public service obligation in relation to routes to regional airports, and why does he think that the Scottish Government should have any confidence that it will ever stick to the memorandum of understanding?

Jesse Norman: My right hon. Friend has asked a vast number of questions. If I do not cover all the points that she raised, I shall be happy to write to her. She mentioned the Cabinet Sub-Committee: I am not a member of the Sub-Committee and have not seen the papers that were presented to it, so I cannot comment on that.

My right hon. Friend asked whether any liabilities had been created, and directed my attention to a specific clause. It is of course a very narrow legal point, but I entirely accept that it is important to focus on it. The Government’s position is that no liabilities have been created, and therefore none need to be disclosed; and no contingent liabilities have been created. The statement of principles is a standard document on which the Government took advice both from distinguished leading counsel and from a top-tier firm of solicitors. It simply allows Heathrow Airport Ltd to reserve rights that it would normally have under commercial law, while making clear that the Department has no liabilities in respect of the issues already described.

We, as a Department, are clear about the fact that the statement of principles is not legally binding. It does not create any legitimate expectation. It does not fetter the discretion of the Secretary of State. It does not give Heathrow Airport Ltd the right to claim “damages, losses, liabilities, costs and/or expenses or other relief”.

Heathrow does, of course, retain some rights of its own, and that is entirely proper.
There might be circumstances in the future under some future Government, possibly of a different political persuasion, that did create a contingent liability, and the Government would then be under an obligation to present that to Parliament in the normal way. Heathrow Airport Ltd might, in the exercise of its legal rights, have the ability to sue them in some respect, but that is not touched on by this question.

The statement of principles with which we are dealing is not, in fact, the only document of its kind. There were two other such documents. In October 2016, the Government entered into an agreement on a statement of principles with Heathrow Airport Ltd, as we have discussed, but versions of the same document were also agreed with the promoters of the other shortlisted schemes, Gatwick Airport Ltd and Heathrow Hub Ltd. Those, of course, fell away when the Government recommended the Heathrow north-west runway as the preferred scheme. This is not a one-off deal or any kind of special arrangement with Heathrow itself.

Karl Turner (Kingston upon Hull East) (Lab): I congratulate the right hon. Member for Putney (Justine Greening) on securing the urgent question. This appears to be a devastating revelation, and it is beyond belief that when such a bombshell has landed, the Secretary of State is not here to respond.

Yesterday, the Prime Minister said: “The statement of principles... does not give Heathrow Airport Ltd the right to claim any costs or losses from the Government should its scheme not proceed.”—[Official Report, 6 June 2018; Vol. 642, c. 304.]

That does not seem to be accurate.

Can the Minister explain why a statement of principles was entered into between the Department and Heathrow Airport Ltd that clearly states, at paragraph 2.1.6, that “HAL reserves its rights (including but not limited to its rights to pursue any and all legal and equitable remedies (including cost recovery) available to it under law) in the event of... an alternative scheme being preferred by the Secretary of State or... the withdrawal of the Government’s support for aviation expansion for Heathrow Airport”?

Does he not see that this is a massive revelation of the utmost importance? Given all the opportunities the Government have had to bring it to the attention of the House and come clean, why has this statement of principles, which effectively indemnifies HAL, been unearthed only at this critical stage? Did they think that no one would spot it?

Why was the statement of principles not included in the national policy statement or the consultation on the NPS? Why was it not disclosed to the Transport Select Committee? Has the Secretary of State secured an unequivocal guarantee from HAL that, in the event of the north-west runway not going ahead, the Government will not indemnify HAL for costs expended in pursuit of the project? Is it not the case that the Government have boxed themselves into a corner by committing HAL to a risk-free investment, while exposing themselves to either massive cost recovery on the part of HAL or crushing litigation before the decision has even been taken?

Jesse Norman: Far from this being a bombshell, I am afraid it is the dampest of damp squibs. No indemnification has been given or was ever in question. The Opposition’s position is not a legal position; it is an expression of some other kind. The hon. Gentleman does not seem able to quote any legal authority. I invite him to quote any legal authority for his position. We have the legal authority of leading counsel and a top firm of solicitors supporting our position. The statement was entered into for a very simple reason: to make it absolutely clear, while reserving HAL’s normal rights, that the Secretary of State has an almost unfettered discretion in this area, and rightly so. I would expect the hon. Gentleman, being a taxpayer, to support that position.

Dame Cheryl Gillan (Chesham and Amersham) (Con): We have dithered over airport expansion for far too long, and it really has had a damaging effect on our economy. Unlike HS2, which delivers no benefits to my constituency and is an open-ended commitment from the taxpayer of billions and billions of pounds—a subject on which the Labour Front-Bench team is always so quiet—we are here making something out of nothing. Heathrow expansion will deliver benefits to my constituents and yours, Mr Speaker, secure jobs now and provide tens of thousands of jobs and opportunities in the future. May I urge my hon. Friend to get on with it and not be distracted by people trying to block it?

Jesse Norman: I thank my right hon. Friend for her question. We have seen many brilliant examples of crowbarring local and national issues into debates, and I salute her ingenuity in so doing. She rightly makes the point that this proposition has been left unexecuted for far too long, although it has greatly improved as a result. It will bring an almost £75 billion boost to the UK economy, provide better connections to growing world markets and allow better support for regional airports and the regions of the country. She is right that we need to press ahead.

Alan Brown (Kilmarnock and Loudoun) (SNP): I am rather naive. When the Secretary of State for Transport came to the Dispatch Box to present the decision on Heathrow expansion, I thought he was moving on from the rail shambles and on to firm ground—a subject he had a firm grip on—but clearly that is not quite the case. We are hearing mixed messages about liabilities and a rather flippant, “We don’t need to worry. It is a normal commercial recovery mechanism that Heathrow has put in.” The Government have to be clear about this if they are to carry the vote of the House and take this forward, and time is limited.

The Secretary of State said that the Government had acted on 24 out of the 25 recommendations of the Transport Committee’s report on the NPS, but that claim seems to be unravelling as we go through the Government’s response. Again, it seems the Government are not on top of this. There has been much debate about the cost of surface access and who pays for that. The Government are going to have to be very clear, because they keep saying there are no liabilities there and it will all be private-funded. They need to start to understand the mechanisms for the payment of surface access upgrades; will that be a private finance initiative through fare recovery? What will it be, and what are the associated contingent liabilities? Quite often, the Government end up giving infrastructure guarantees, so will they be in place for surface access upgrades?

In terms of the 15% of new slots—
Mr Speaker: Order. I am afraid the hon. Gentleman is way over time. If he has a single sentence to add, I am happy to hear it, but after that we do need to proceed.

Alan Brown: I will need to understand the protection of the 15% of new slots for the new domestic routes before the vote takes place; that is important.

Jesse Norman: The latter point is so far outside the scope of this UQ that I hope the hon. Gentleman will not mind if I address it in the Committee session this afternoon.

On the issues the hon. Gentleman raises that are germane to the question, let me start by thanking the Scottish National party for its support for this project, which it rightly concludes will be of great value to Scotland—and that is agreed across all parties. There are no mixed messages here and there is nothing fluffily about the legal position on which the Government have—as it appears, uniquely—taken advice. I remind the hon. Gentleman that the statement of principles was published in 2016 and has been available for almost two years, so if there is fluffiness it is not on the Government side of this House.

We have taken very seriously the 24 out of 25 Select Committee recommendations that the hon. Gentleman raised. We are grateful to the Select Committee for its detailed and painstaking work and have acted on many of its recommendations; we have left one to be a point of further discussion, and dispute potentially, but we have been overwhelmingly positive in many ways towards the Select Committee response. That should be reflected on the record, and we are grateful for the support it has given to this project.

Several hon. Members rose—

Mr Speaker: Order. I remind the House that there is another urgent question to follow. After that we have the business question and then two moderately well-subscribed Backbench Business Committee debates, so there is a premium on brevity. What I am looking for is not preambles, but single sentence—preferably short sentence—inquiries, to be exhibited in the first instance by the hon. Member for Reigate (Crispin Blunt).

Crispin Blunt (Reigate) (Con): Is my hon. Friend the Minister as astonished as I am that distinguished a lawyer as the Opposition spokesman, the hon. Member for Kingston upon Hull East (Karl Turner), could advance an argument that is so utterly threadbare in respect of the rather limited defence this agreement gives to Heathrow airport and its private investor supporters if the Government change their policy?

Jesse Norman: I could say that I could not possibly comment. But it is right to acknowledge that a future Government might create a liability or contingent liability. That is not ruled out, and there might theoretically be some recourse for HAL as a result of that. One should just be—[Interruption.] That has always been the case, and it is not changed by this proper recognition of the law.

Karl Turner: Shocking.

Mr Speaker: Order. The day would not be complete without the hon. Member for Kingston upon Hull East (Karl Turner) uttering the word “Shocking” while sitting on the Opposition Front Bench. I am just waiting now for his usual refrain of “It’s a disgrace.”

Sir Vince Cable (Twickenham) (LD): Transport for London has estimated that there are liabilities of something in the order of £10 billion for public transport provision, which the Government say they do not recognise. Is that because they do not think the public transport improvements are necessary, or because a private party will carry the cost?

Jesse Norman: The answer to that question is, because it is a number that we do not recognise, but if there were a better justification for it, it might be that we would. But of course it is perfectly clear that we do expect transport improvements to be made, and we expect the private sector to bear a substantial proportion of the cost.

Adam Afriyie (Windsor) (Con): This private company is running rings around the Department for Transport and the Secretary of State, and there is a history of a litany of broken promises, whether to Scotland, regional airports or the Government or on the number of jobs it would create. Why is this clause here specifically for Heathrow when it is clearly indicating that it wants those liabilities paid for should they arise: why specifically for Heathrow?

Jesse Norman: Of course these statements were not purely in relation to Heathrow; there were several of them, as discussed, but two have fallen away. All this does is recap a perfectly well-established set of rights it has in law, and nothing has changed from that point of view. The point of the detailed and careful way in which this has been taken forward is to make absolutely clear that, when HAL makes a commitment, it can be held properly publicly accountable for it by due process of law and by agreement with the Government.

Jim Fitzpatrick (Poplar and Limehouse) (Lab): This was recommended in the 2003 aviation White Paper and confirmed by the consultation in 2008, so will the Minister confirm that, notwithstanding the question asked by the right hon. Member for Putney (Justine Greening), the Government will not be deflected from bringing forward an early vote, because it is quite clear that there is support across the House for this proposal?

Jesse Norman: I thank the hon. Gentleman for his very constructive and positive comment, and of course we will not be deflected. That is why we have laid this national policy statement, and we will be inviting Parliament to vote on it in due course.

Jeremy Quin (Harrow) (Con): Will the Minister simply confirm that it is anticipated that private investment will fund the expansion of Heathrow, and will he also confirm that the economic benefits he expects will flow to the entire United Kingdom as a result of that private investment?

Jesse Norman: I know you place a premium on brevity, Mr Speaker, so I will say, yes, and £74 billion to £75 billion of expected boost to the economy.

Andy Slaughter (Hammersmith) (Lab): The whole process of forcing through the third runway has been the opposite of transparent—from overstating economic benefits to understating the cost to public funds, including
the £10 billion to £15 billion on surface access. Will the Minister say that he will define the costs and the risks to the public purse in total, and will he give an absolute assurance that this private company will bear the full costs?

**Jesse Norman:** I think that it is perfectly clear that the NPS, a national policy statement, sets the guidelines within which this is to be elaborated. We expect Heathrow Airport Ltd—and other private entities, as may be required—to bear the full cost of the expansion, as has been indicated, and we have been perfectly clear about that all the way through.

**Douglas Ross (Moray) (Con):** Can the Minister confirm that my Moray constituents, and indeed regions across the country, will benefit from greater connectivity with the third runway at Heathrow?

**Jesse Norman:** Yes, I can. I have visited Heathrow and discussed this issue with the chief executive, and Heathrow is absolutely clear that a central part of the proposal is to enable better domestic connectivity as part of a wider international and national strategy.

**Jonathan Edwards (Carmarthen East and Dinefwr) (PC):** Following on from the question from the right hon. Member for Twickenham (Sir Vince Cable), the third runway will, as I understand it, double the passenger capacity of Heathrow, so on what grounds does the Department for Transport believe that the public investment figures suggested by Transport for London for the connection between London and Heathrow are incorrect?

**Jesse Norman:** As the hon. Gentleman will be aware, Heathrow’s connectivity will be very heavily supported. It is already the beneficiary of an upgraded Piccadilly line from the east and of Crossrail, too. A lot of work is being done on western and south-western access, to say nothing of potential access from the Chilterns, which will be a matter of great interest to you, Mr Speaker. It will be well connected on the ground, as well as in the air.

**Several hon. Members rose—**

**Mr Speaker:** Order. If colleagues feel able to focus on the narrow particulars of the urgent question that I granted, rather than on the generality of the subject, to which I did not accede, that would be very helpful to the House. The hon. Member for Harrogate and Knaresborough (Andrew Jones) has now lost interest, but we look forward to hearing his mellifluous tones on another occasion. **[Interruption.]** No, he has not lost interest; he just does not want to contribute now. Very good—we are grateful to him.

**Bob Blackman (Harrow East) (Con):** Will my hon. Friend confirm that the offers made to both other competing bids were exactly the same as is now on the table for Heathrow, that there have been no changes to the offer and that Heathrow has not been advantaged as a result?

**Jesse Norman:** I am not familiar with any changes of the kind my hon. Friend describes. It is true that the statements of principles were in substantially the same form for all three projects, and that is what we are presently addressing.

**Tom Brake (Carshalton and Wallington) (LD):** Will the Minister confirm that the Government will not incur any liabilities in relation to an anticipated decline in regional airports, any environmental or health liabilities associated with Heathrow not meeting its environmental targets or any transport cost liability associated with the western rail link? Given all these cumulative liabilities, would it not be safer for the Conservative party to give its Members of Parliament a free vote to reduce the political liability?

**Jesse Norman:** Mr Speaker, we are some way outside the terms of the urgent question, but let me respond to the right hon. Gentleman. We are clear that this instrument creates no liabilities for the Government, which is the point at issue. As I have said, it may at some point be a future matter whether changes would encumber a future Government with contingent liabilities. That Government would then be under an obligation to notify Parliament in the usual way.

**Jim Shannon (Strangford) (DUP):** In papers this week, it has been indicated that airport users could pay up to £20 extra per journey. Can the Minister confirm that the Government will put a ceiling on any extra charges for airport users?

**Jesse Norman:** Again, we are way off piste, but let me just say that charges are a matter for the Civil Aviation Authority, and we would expect the CAA, as the regulator, to exercise proper concern. We have made it clear that we do not want charges to rise materially from their current levels in real terms.

**Mr Speaker:** I am extremely grateful to the Minister for his answers, his patience and his characteristic courtesy.
Supreme Court Ruling: Abortion in Northern Ireland

11 am

Stella Creasy (Walthamstow) (Lab/Co-op) (Urgent Question): To ask the Northern Ireland Secretary, following the ruling of the Supreme Court, whether sections 58 and 59 of the Offences Against the Person Act 1861 and section 25 of the Criminal Justice Act (Northern Ireland) 1945 are incompatible with articles 3, 8 and 14 of the European convention on human rights.

The Secretary of State for Northern Ireland (Karen Bradley): I thank the hon. Member for Walthamstow (Stella Creasy) for this question and I once again pay tribute to her and to all the other hon. Members who contributed to the debate on these issues in the House on Tuesday. I recognise the strength of feeling and the personal stories that lie behind this issue, many of which we heard on Tuesday. That is the case regardless of where people’s views lie. As I have said in the House before, abortion is an extremely sensitive issue and there are many strongly held views across all sides of the debate on reform right across the UK, including Northern Ireland.

Members will be aware that the Supreme Court issued its judgment in this case this morning. The Government are carefully considering the full judgment and its implications. No formal declaration has been made by the Court, and the appeal has been dismissed. The analysis and comments of the Court on the issue of incompatibility will be clearly heard by this House and by politicians in Northern Ireland. While the Court made no formal declaration, a majority of judges stated their view that the laws on abortion in Northern Ireland are incompatible with article 8 of the European convention on human rights—the right to respect for private and family life—in cases of fatal foetal abnormality, rape and incest.

This is clearly a complex area of law and an extremely sensitive subject matter which raises a number of different issues to consider. I am sure that the House will understand, given that the judgment is more than 140 pages in length, that further consideration of it is needed. I am continuing to engage with the parties in Northern Ireland, where these issues are understandably being raised and discussed. It is therefore important for all of us, including the people of Northern Ireland, to consider this judgment and to approach ongoing debate on this issue with due care and sensitivity. My urgent priority is to continue to engage with the parties in Northern Ireland and to re-establish devolved government in Northern Ireland so that decisions can be taken there.

Stella Creasy: Today, our Supreme Court has ruled that the law on abortion in Northern Ireland is in breach of the human rights of women in Northern Ireland. Let us weigh that sentence for a moment, as a House. Our own law is breaking the basic human rights of our own citizens. These are laws that the Government have said they will retain whether we leave the European Union or not. They are the laws that underpin our own democracy and our own freedom.

A clear majority of the Law Lords have found that how women in Northern Ireland are treated is incompatible with article 8: the right to respect for private and family life. Two judges have also held that the law on abortion is in breach of article 3: the right to be free from inhuman and degrading treatment. The Court was clear that to deny a woman access to abortion care breaches a woman’s right to bodily autonomy—to be able to control what happens to her own body and not to be forced to continue an unwanted pregnancy even in instances of rape and incest.

The Court also was clear that the Government must have known that that was the case because of the United Nations ruling. Despite this, just two days ago the Secretary of State told this House of Parliament, as she has said today:

“Abortion has been a devolved matter...and it would not be appropriate for Westminster to seek to impose its will, or to be the arbiter”.—[Official Report, 5 June 2018; Vol. 642, c. 220.]

Clearly this ruling challenges that disregard for the human rights of women in Northern Ireland.

The only reason the Government are not facing a requirement to act today is that those bringing the case were not victims; the Northern Ireland Human Rights Commission brought the challenge. The House should hear the words of Lord Mance himself:

“the present law clearly needs radical reconsideration. Those responsible for ensuring the compatibility of Northern Ireland law with the Convention rights will no doubt recognise and take account of these conclusions, at as early a time as possible, by considering whether and how to amend the...1861 Act.”

Are the Government today really going to require a rape victim to give evidence in open court to be able to access this declaration and to force them to act? Are we parliamentarians, with the responsibility under the Good Friday agreement to uphold the human rights of all Northern Irish citizens, going to pretend that if they make that happen, we are doing our job? The women of Northern Ireland deserve better. They deserve control over their bodies. They deserve not to be forced to go to court and talk about such issues to get the Government to listen. They deserve the kind of control that Arlene Foster currently has over this Government.

The Secretary of State has the power to direct Northern Irish Departments to take such action that is required under international obligations. Human rights are an international obligation. Minister, I beg of you, do not make a victim go to court. Name the date that the domestic abuse Bill will come to Parliament, so that we can get on and end this scandal. We cannot just take back control; we can give it.

Karen Bradley: I know that the hon. Lady feels strongly about this issue. The whole House will have heard her words, which were delivered with such passion, but we need to be clear about what the Court was considering. It was looking specifically at the laws in Northern Ireland. She talked about a clear finding, but the Court has not made a declaration of incompatibility. In fact, on fatal foetal abnormality, the judges found five to two in favour, but it was only four to three on rape and incest. Those were majority decisions, not the judges’ unanimous view.

The Government’s view is that the decisions about abortion and the laws that apply in Northern Ireland should rightly and properly be decided by the people of Northern Ireland and their elected politicians. That is
(Putney) (Con): This is a heart breaking legal case. It has basically been lost on a technicality—nothing more—and it is too important simply to be left at that. The women of Northern Ireland deserve better than the outcome of today’s judgment. Does the Secretary of State agree that it is now time for the Northern Ireland Assembly and Government to get back in place and to take their responsibility to set the way forward? In the absence of that, I urge her to accept that Parliament will now start to examine what steps we can take to ensure better outcomes for women in Northern Ireland.

Karen Bradley: I thank my right hon. Friend. I agree with my hon. Friend that it would be better if the Northern Ireland Assembly were to seize the moment and come to the Stormont Assembly, Westminster would have to act, and would have to act on the moral and legal basis that the judgment is a judgment about the United Kingdom’s compatibility, not Northern Ireland’s, with international law. The Secretary of State must consider that seriously and set a timescale within which the Government must act. The law must change. Who does it is now a matter for politicians in Northern Ireland.

Mr Speaker: Order. This is an extremely important matter, of which the House partly treated earlier in the week, but I gently point out that it is not reasonable for colleagues who were not here at the start to beetle into the Chamber and stand with the expectation of being called. I announced the urgent question some considerable time ago, and it is incumbent upon colleagues to be here at the start of the exchanges. If for whatever reason they were not here at the start, it is discourteous to stand and expect to be called. Everybody is busy and has many commitments and full diaries, but it is incumbent upon colleagues to be here at the requisite time.

Justine Greening (Putney) (Con): This is a heart breaking legal case. It has basically been lost on a technicality—nothing more—and it is too important simply to be left at that. The women of Northern Ireland deserve better than the outcome of today’s judgment. Does the Secretary of State agree that it is now time for the Northern Ireland Assembly and Government to get back in place and to take their responsibility to set the way forward? In the absence of that, I urge her to accept that Parliament will now start to examine what steps we can take to ensure better outcomes for women in Northern Ireland.

Karen Bradley: I thank my right hon. Friend. I agree that this is another example—one that affects people’s lives—of why it is so important that politicians in Northern Ireland come together and form a Government, and it is quite right that they should do so. They represent their constituents in Northern Ireland, and they know what their constituents want. I am sure that they will have heard my right hon. Friend’s comments.

Tony Lloyd (Rochdale) (Lab): I re-emphasise the point that we are talking about real people. Although this is a legal judgment written in legalese, nevertheless we are talking about real people, which is why there is urgency in what our Parliament must consider.

Although the judgment is disappointing in that it founded on a technicality as to who brought the case to the Supreme Court, nevertheless the Supreme Court was crystal clear, by a majority verdict, on the important point that, in relation to obligations under article 8 convention rights, it is the United Kingdom—not Northern Ireland—that is incompatible with international human rights law. The summary of the Court’s judgment states:

“If an individual victim did return to court in relation to the present law, a formal declaration of incompatibility would in all likelihood be made.”

That is in relation to cases of fatal foetal abnormality, rape or incest, for example.

My hon. Friend the Member for Walthamstow (Stella Creasy) is right that it would be grossly unreasonable to ask a rape victim to pursue a case up to our United Kingdom Supreme Court to have that measure of incompatibility brought to legal justice. I accept that the Secretary of State must ask her legal advisers to pore over the whole judgment, but nevertheless it is clear the judgment insists that the law must change.

I agree with my hon. Friend that it would be better if the Stormont Assembly were to seize the moment and change the law for Northern Ireland but, in the absence of Stormont, the Secretary of State now has to begin setting out a clear timetable that says to Northern Ireland politicians that, if they are not prepared to come to the Stormont Assembly, Westminster would have to act, and would have to act on the moral and legal basis that the judgment is a judgment about the United Kingdom’s compatibility, not Northern Ireland’s compatibility, with international law. The Secretary of State must consider that seriously and set a timescale within which the Government must act. The law must change. Who does it is now a matter for politicians in Northern Ireland.

Karen Bradley: I put on record how much I appreciated the hon. Gentleman’s thoughtful and thought-provoking contribution to the debate on Tuesday.

Some Members have suggested that repealing sections 58 and 59 of the Offences Against the Person Act 1861 would somehow enable politicians in Northern Ireland to come together to create the laws that are right for Northern Ireland. Let us be clear that this is about the situation in Northern Ireland. I do not think anyone in this House is suggesting that the decision should not be taken in Stormont—we need the politicians to be in Stormont to do that—but if we proceeded down the path of repealing sections 58 and 59, we would be left with no laws on abortion in Northern Ireland. I do not think a vacuum of laws in Northern Ireland would be helpful to those women and girls we are all thinking about.

I make it clear that we want the politicians in Northern Ireland to make the law on abortion in Northern Ireland. We want them to come together, and we want them to do what is right for the people they represent.

Sir Edward Leigh (Gainsborough) (Con): The United Kingdom Government have devolved these issues to the Northern Ireland Assembly. It would therefore be extraordinary if the United Kingdom Government removed or changed some part of the law—that would make the law a complete mess. Whatever our views on this issue, we should have respect for both sides of the abortion debate, as I do. We should also have respect for the people of Northern Ireland who ultimately, ab initio, have to deal with this.

Karen Bradley: My hon. Friend is right. The laws on abortion in Northern Ireland were not devolved at the time of the devolution settlements in the 1990s; these laws have always sat with Stormont since it was first founded and since it first sat in the 1920s. It is therefore right, constitutionally and morally, that these decisions are taken in Stormont.
Karen Bradley: As I said in my opening remarks, at 143 pages there is a lot to digest in this judgment. Together with my officials and lawyers, I will make sure that we have gone through every point of the judgment in order to make a final determination, but I think the hon. Lady would agree that where matters are devolved they should rightly be dealt with by the devolved legislature that has responsibility for them. That is why I want to see those politicians come back to Stormont, form that devolved Government and make those decisions.

Sir Peter Bottomley (Worthing West) (Con): Clearly, the number of abortions we have throughout this country is far, far too high, but when they have to happen the present state of the law means it is a question of where they happen, rather than whether they happen.

My hon. Friend the Member for Gainsborough (Sir Edward Leigh) has suggested that the Northern Ireland Assembly will have to look at this ab initio. If we were to repeal sections 58 and 59, it would be in the same position of having to legislate ab initio, on the civil side and on the controls on abortion.

I ask my right hon. Friend to understand that those who back her basic approach are willing to do so only for a certain amount of time. Unless and until those in Northern Ireland who are elected are prepared to come together to deal with this issue, there will be an obligation on this country, not a European obligation, but a national, practical and moral obligation, to take action.

Karen Bradley: Again, my hon. Friend makes his long-standing views on this matter known, and I am sure the politicians in Northern Ireland will have heard them.

Kate Green (Stretford and Urmston) (Lab): May I say to the Secretary of State that the fact the decision on rape was a four-three majority decision means that it was a decision, an announcement, a pronouncement of the court? That is how the Supreme Court works; it does not matter how narrow the majority. May I also remind her of what Lord Kerr said? He said that “it is incumbent on the state”—

the UK—

“to recognise the vulnerability of girls and women”—in relation to rape. Does she agree that human rights cannot be devolved and that she and the Government have the responsibility for them?

Karen Bradley: The questions the hon. Lady asks bring into question the whole constitutional arrangements we have and who and which legislature is responsible for which action. I repeat that my urgent priority is to get the parties back to Stormont, to get that devolved Government up and running so that they can rightly make the decisions in the interests of the constituents who elected them.

Philip Davies (Shipley) (Con): I do not agree with the law in Northern Ireland, but surely the whole principle of devolution is that people in devolved areas can make decisions with which we disagree. Does my right hon. Friend agree that if we allow devolved areas only to make decisions with which the Westminster Parliament agrees, there is not much point any more in any form of devolution?

Karen Bradley: My hon. Friend always has an ability to use an appropriate turn of phrase to put his finger adeptly on the problem.

Mike Gapes (Ilford South) (Lab/Co-op): A constituent has written to me as follows:

“I grew up in Northern Ireland before moving to London in 1982... I fell pregnant in 1997. My child would have been very much loved and wanted, but a scan revealed that he had Edward’s syndrome, a chromosomal abnormality incompatible with life. I was ably supported by the NHS in London through the subsequent weeks of decision and grief. I was not forced to continue the pregnancy to bear a dead child”.

What advice would the Secretary of State give to a young woman in Northern Ireland today who was facing the same dilemma that my constituent had in 1997?

Karen Bradley: It is those personal stories and the reality of the situations in which women find themselves that really bring home why it is so important that this matter is addressed, but I repeat that it needs to be addressed in Stormont by politicians elected in Northern Ireland—that is the right way to deal with this issue.

Mrs Anne-Marie Trevelyan (Berwick-upon-Tweed) (Con): The women of Northern Ireland deserve a long-term solution and their human rights need to be respected, but with regard to the short term, will my right hon. Friend confirm that no women who have abortion procedures in England are being charged for them?

Karen Bradley: My hon. Friend is right. As well as the Supreme Court judgment, we have today received the figures for women who have travelled to Great Britain for abortions. In 2016, the figure was 724 women, and in 2017 it was 919, following the Government’s announcement that we would ensure that all costs were covered. It is not a perfect solution, but it does at least show the House’s intent.

Dr Rupa Huq (Ealing Central and Acton) (Lab): Earlier this year, my hon. Friend the Member for Pontypirdd (Owen Smith) and I were part of a delegation to Belfast. We heard evidence on a long and harrowing day from many parties, including Sarah Ewart, whose name has been mentioned in the Chamber previously, on the difficulties for not only vulnerable women but practitioners, who are often in a dilemma. At the time, my thinking was the same as the Secretary of State’s—that it looks a
I want devolved government in Stormont and I want it because I want to see the parties coming back together. The parties later today, and I will continue to do so, that the politicians were elected to make. I will speak to is, rather than seeing it active and making the decisions around an empty Parliament building, which Stormont is functioning. It always feels like a tragedy to me to walk to the citizens of Northern Ireland?

Karen Bradley: I want to see Stormont back and functioning. It always feels like a tragedy to me to walk around an empty Parliament building, which Stormont is, rather than seeing it active and making the decisions that the politicians were elected to make. I will speak to the parties later today, and I will continue to do so, because I want to see the parties coming back together. I want devolved government in Stormont and I want it urgently.

Jim Shannon (Strangford) (DUP): I feel very strongly about this matter, as does my party, the Democratic Unionist party. Following the Supreme Court judgment, will the Secretary of State confirm that it is categorically up to the Northern Ireland Assembly to implement any changes that it believes are necessary regarding the matter of abortion? Will she also underline the fact that it is Sinn Féin’s duty to drop its red line, get back to Stormont and democratically debate this issue?

Karen Bradley: I do not want to get into what is stopping the parties getting back together. All I will say is that the hon. Gentleman sums up the situation well, and it is right that we should have those politicians coming back together, doing the right thing as Ministers in Northern Ireland, and making these decisions.

Bob Blackman (Harrow East) (Con): My right hon. Friend will be aware that the last time Stormont debated this issue, it decided by a clear majority to keep the law as it is. Will she undertake to the House to consult all the parties in Northern Ireland, in the light of this court judgment, on what should happen for the future?

Karen Bradley: My hon. Friend is right that the last time this matter was debated in Stormont—in 2016—the Bill was rejected. That is part of the reason why we have this case before us today. I have spoken to all the parties about this matter, and I will continue to do so.

Chris Bryant (Rhondda) (Lab): A British Government in Westminster should not abrogate to themselves powers willy-nilly, but why are the Government adamantine about not intervening when human rights issues affect British citizens? It was the same in Bermuda: the Government refused to say anything about same-sex marriage being banned, but the Supreme Court in Bermuda decided yesterday that the British Government were wrong and that same-sex marriage should be reintroduced. What will happen here is that the Government will keep on losing legal battles. In the end, human rights are indivisible, so we do have to act and intervene.

Karen Bradley: We need to go through the judgment, which is detailed, and consider it carefully. The way to resolve this issue has to be with Stormont; that has to be the place in which to resolve this.

Luke Graham (Ochil and South Perthshire) (Con): I take on board all the points that have been made this morning, especially those about maintaining the position on issues that are devolved, but I just say to the Secretary of State that, obviously, our constitution is constantly evolving. I am not speaking specifically to this issue but, as we look across the United Kingdom and all the changes that we are making, including the devolution of more powers as we leave the EU, we should consider minimums that apply across the United Kingdom for our national UK framework. When it comes to rights, for example, there should be national minimums across the United Kingdom, especially as we have elected representatives from across the United Kingdom in this place.

Mr Speaker: I am deeply obliged to the hon. Gentleman. His question is very well-intentioned, but it suffers from the disadvantage of being unadjacent to the matter before the House and a tad longer than was desirable. Nevertheless, he has volunteered his views and they are on the record.

Karen Bradley: What my hon. Friend does pick up, however, is that the constitutional implications of decisions that we take in this House regarding devolved matters should be considered and not taken lightly. They need to be carefully thought about because of implications for other parts of the United Kingdom.

Joan Ryan (Enfield North) (Lab): It cannot be right to criminalise women in Northern Ireland for actions that would not be criminal anywhere else in the UK. Does the Secretary of State agree with the ruling of Supreme Court Justice Mance, who has held that “the present legislative position in Northern Ireland is untenable” and that the current law “clearly needs radical reconsideration”?
If she does, can she address the point that a number of us have made about how much longer she will allow women in Northern Ireland to suffer this untenable law?

Karen Bradley: There are many views that we all need to consider in the judgment. As I have said, we will spend a significant amount of time looking at the judgment and considering the points that have been made, but I do come back to the point that this matter needs to be dealt with by the politicians who have been elected by the people of Northern Ireland.

Joanna Cherry (Edinburgh South West) (SNP): Does the Minister agree that while there has been no declaration of incompatibility on a technicality, and although there is a lot to digest, what is crystal clear is that a majority of the UK Supreme Court has said that, in three crucial respects, the law of Northern Ireland violates women’s article 8 rights. Does she agree that something needs to be done about that as a matter of urgency?

Karen Bradley: Clearly there is much that needs to be done, but it needs to be done in Stormont. That is why locally elected politicians need to come back together to form that devolved Government.

Jonathan Edwards (Carmarthen East and Dinefwr) (PC): The Secretary of State’s excuse for inaction is that this is a devolved issue, yet next week we will discuss Lords amendments to a Bill that will steal a whole range of powers from devolved areas to allow the Westminster Government to legislate in devolved fields. Why the discrepancy?

Karen Bradley: I am afraid that I simply disagree with the hon. Gentleman.

Business of the House

11.28 am

Valerie Vaz (Walsall South) (Lab): Will the Leader of the House please give us the forthcoming business?

The Leader of the House of Commons (Andrea Leadsom): The business for next week will be:

Monday 11 June—Second Reading of the Counter-Terrorism and Border Security Bill.

Tuesday 12 June—Consideration of Lords amendments to the European Union (Withdrawal) Bill (day 1).

Wednesday 13 June—Conclusion of consideration of Lords amendments to the European Union (Withdrawal) Bill (day 2).

Thursday 14 June—Debate on a motion on the 70th anniversary of the arrival of HMT Empire Windrush at Tilbury Docks. The subject of this debate was determined by the Backbench Business Committee.

Friday 15 June—Private Members’ Bills.

The provisional business for the week commencing 18 June will include:

Monday 18 June—Consideration of Lords amendments to the Automated and Electric Vehicles Bill, followed by general debate on acquired brain injury.

In addition to the business next week, colleagues will be keen to know when the Trade Bill and the Taxation (Cross-border Trade) Bill will next be debated in the Commons. I agree that we must hold these debates as soon as possible, so I would like to update the House by saying that these Bills will come forward by mid-July at the latest. Every week I look very carefully at the progress we are making on all legislation, and I am pleased that the return of those Bills, along with the return to this House of the European Union (Withdrawal) Bill, demonstrate continued progress towards ensuring that we have a fully functioning statute book when we leave the EU. As Leader of the House, my absolute priority is to give Parliament the time it needs to debate and scrutinise these important pieces of legislation at every stage. I will continue to do exactly that as further progress is made.

This has been a particularly sporting week for Parliament. I was delighted to hear that the Commons have been triumphant against the Lords. I am, of course, talking about the Jo Cox memorial tug of war match on Tuesday in aid of Macmillan Cancer Support. Yesterday, however, MPs were less successful at the UNICEF and Department for International Development Soccer Aid tournament, with the Press Lobby emerging victorious. Huge congratulations to everyone who took part in support of some great causes.

Finally, I hope to see many women from across the House joining the Processions march on Sunday. Women and girls in London, Belfast, Cardiff and Edinburgh will march through the streets in the colours of the suffrage movement to mark the centenary of equal votes. I am definitely looking forward to it.

Valerie Vaz: I thank the Leader of the House for the forthcoming business.

I just cannot believe what I have heard. What a mess; what a shambles! The Government were briefing before Whitsun that there would be three days of debate on the withdrawal Bill. They then briefed this week that there
would be one day—only 12 hours on Tuesday—and now the Leader of the House announces two days. Could we see the programme motion through the usual channels so that we will know how long we have on each of the two days?

This Government cannot handle democracy. The Leader of the House was one of those who said that we should bring back sovereignty to Parliament, but there is no say for Parliament. The Government tell us to be grateful for 12 hours and then to be grateful for two days, but the Opposition asked for four days. This is the most important piece of legislation that will affect our country and, most importantly, future generations—those young people who voted overwhelmingly to remain. There are 196 amendments from the other place, including 14 important amendments defeating the Government’s intransigent position. Giving even two days of debate is no way to treat a parliamentary democracy; it hardly gives a chance for all Members to take part in the debate. The Government are still working out their position; oh no, 12.30—that is when they decide their position. We are two years on from the referendum, with two Council meetings to go. Yes, we voted to leave, but it is our duty to negotiate what is in the best interests of the country, based on evidence.

I do not know whether the Leader of the House is aware of the written parliamentary questions on Vote Leave that have been tabled by my hon. Friend the Member for West Bromwich East (Tom Watson), the deputy Leader of the Opposition. Does she know when the Electoral Commission report on electoral fraud in the Vote Leave campaign will be published?

The Brexit Secretary said that he may resign—not. The Prime Minister said “we want to publish a White Paper”—[Official Report, 6 June 2018; Vol. 642, c. 298.]

But she cannot or will not say when, and she refused to answer the Leader of the Opposition’s question. Perhaps the Leader of the House can tell us when the White Paper will be published. The Leader of the Opposition, the shadow Brexit Secretary and the shadow Northern Ireland Secretary have all visited the border. When will the Prime Minister visit the border between Northern Ireland and the Republic?

The Government cannot even handle running the economy. GDP figures show that UK growth in the first three months of the year has hit a five-year low of 0.1%. Household spending rose by only 0.2%—the weakest in more than three years. Where is the Chancellor? May we have a debate on the effects of Brexit on the economy? Why is the economy shrinking?

The Government are not even fiscally competent. Let us take the sale of Royal Bank of Scotland. Tell me if this is fiscally competent: the Government bought the shares for 502p each and sold them for 271p. That is £2.1 billion lost to the taxpayer, added to £1.9 billion lost in 2015—£4 billion in total. Is that fiscally competent? [Interruption.]

Mr Speaker: Order. There is far too much noise. As someone who repeatedly implores Members of this House not to yell at each other but to treat each other with respect, I must repeat that exhortation now. The shadow Leader of the House must be heard, just as the Leader of the House was heard and must be heard. [Interruption. Order. I am not interested in—]

Valerie Vaz: Thank you, Mr Speaker.

Prem Sikka of Essex University said:

“Why sell? Taxpayers bailed out the bank and when there is a glimpse of recovery and profits, the government sells it at a loss to ensure that profits are collected by its friends in the City.”

Those are the words of someone who works at Essex University—or is it waffle? Now the Government intend to open the National Fund, a charity fund established 90 years ago on the condition that it stays untouched until it is large enough to pay off the entire national debt. May we have a statement on what the Government are going to do to the National Fund?

The Government cannot handle democracy, the economy or the rule of law. The courts have decided that the confidence and supply agreement must be voted on by Parliament. If the Leader of the House really believes in the sovereignty of Parliament, will she give time for that debate on the Floor of the House?

On Saturday, we celebrate our gracious sovereign’s official birthday with the trooping of the colour parade. I think that people will have recognised that, at the wedding of the Duke and Duchess of Sussex, the Queen was wearing suffragette colours.

Of course, today we remember Lady Wilson, the extraordinary wife of a great Labour Prime Minister, who died this week. Our condolences go to her family and to the wider Labour family.

The Lord Speaker was a gracious host to the 42nd Richard Dimbleby lecture given by Professor Jeanette Winterson—it is well worth watching on BBC iPlayer. I attended that brilliant lecture. She was thought provoking, funny and inspiring in equal measure, but she also reminded us that there is much to be done to get true equality.

Andrea Leadsom: I join the hon. Lady in marking the trooping of the colour this weekend. I join her in noting that it did look extraordinarily as though Her Majesty was wearing suffragette colours at the recent royal wedding. That was a great delight to all of us.

I also note the passing of Lady Wilson, at a fine age to have reached, and all her achievements. Notably, I saw that she opposed her husband’s view on the UK joining the European Community, which was not something of which I had been aware before. I, too, commend Jeanette Winterson, whom I had the pleasure of meeting recently. I found her very thought-provoking—a very interesting woman.

I am afraid that that is about all I can agree on with the hon. Lady today. In answer to her first points about the announcement of business, as she knows, confirmed business is announced at business questions by me in response to a question by her. That is how it is and...
continues to be, and that is how it is today. She can talk all she likes about things she has seen in the press, but the business has been announced today as it always is.

As the hon. Lady will know, programme motions are usually tabled by the rise of the House on the day before the relevant item of business is due to be taken. I do hope that we will be in a position to provide more notice than that. I am trying to be as helpful as possible to colleagues so that people can see exactly what the plans are with sufficient time to be able to prepare themselves.

The hon. Lady talks about insufficient time for debate on Lords amendments. Collectively, Parliament has spent 258 hours debating the European Union (Withdrawal) Bill—88 of them in the Commons and 170 in the Lords. Across both Houses, 1,390 amendments have been tabled, of which 1,171 were non-Government amendments. We are now providing a further two days for consideration of Lords amendments on subjects that have already been discussed and voted upon in this Chamber.

The hon. Lady asked when the Government will set out their response to the Lords amendments. I can assure her that the Government will set out their approach to the Lords amendments in good time, whether that is in Government amendments, motions to disagree or other propositions.

As for the hon. Lady’s comments on the economy, she is completely wrong. [Interruption.] She is chatting, so she is obviously not interested in the truth. The reality of the economy is that employment is up to another record high. Unemployment is down to a 40-year low. Real wages are rising. UK exports rose by nearly 10% in the last year, to a new record high. We saw the highest growth in investment spending in the G7 last year. Our day-to-day spending is in surplus for the first time in 16 years, since 2001-02, and we have the lowest net borrowing in over a decade. Our economy has grown for the last eight consecutive years. She is utterly wrong in her assertions about our economy.

Finally, the hon. Lady talked about the sale of RBS, which just defies belief. RBS was bailed out by the taxpayer on her Government’s watch, when her Government had been responsible for appalling oversight of the financial sector. The financial crash was in no small part due to appalling soft regulation, which her Government presided over. This Government and this party have sorted out the mess left by her Government, including in returning RBS, which would have otherwise failed, to a position of health, from where we can start to give this money back to the taxpayer. She should welcome that and not condemn it, and the fact that she does not merely goes to show how little the Labour party understands how economics works.

Several hon. Members rose—

Mr Speaker: Order. As the record shows, I try always to accommodate all colleagues with an interest in taking part in exchanges on the business question, and today will be no exception, but more than 30 colleagues are seeking to do. I remind the House that there is the privilege motion to follow two Select Committee statements, and two debates to take place under the auspices of the Backbench Business Committee. There is therefore a premium on brevity from those on the Back and Front Benches alike, which I know will be brilliantly exemplified in the first instance by Justine Greening.

Justine Greening (Putney) (Con): Thank you, Mr Speaker. Can the Leader of the House set out when the airports national policy statement will be debated and voted on?

Andrea Leadsom: The NPS was laid on 5 June and will be subject to a debate and vote in the House of Commons within 21 sitting days of laying the final NPS in Parliament. The last date that can take place is 10 July 2018.¹

Pete Wishart (Perth and North Perthshire) (SNP): I thank the Leader of the House for announcing the business for next week. What an absolute and utter shambles presents itself today. First, we have a Cabinet that simply cannot agree, with all sorts of rumours that the Brexit Secretary is apparently on the point of walking. We do not need a backstop from this Government; we just need them to stop. This is not taking back control; this is taking back purgatory.

Secondly, I have no idea what will actually be going on next week with the repeal Bill. We have not seen a programme motion, and I do not know when we will. It looks like we will still have 12 hours, but just over two days. Can she confirm whether that will be the case? This is clearly unsatisfactory, particularly with a multitude of Lords amendments to consider. Our constituents will be rightly outraged at this appalling attempt to evade debate and scrutiny, with 12 hours reserved for 196 amendments, punctuated by possible breaks of 20 minutes or so, and 21 votable amendments, as we go round and round in circles with this archaic practice of a 20-minute headcount. That might be the only opportunity for the House to have a meaningful debate and vote on critical issues such as the single market and the customs union.

For Scotland, it is even worse. Amendments to our devolution settlement were designed and passed in the unelected House of Lords, while we, the directly elected Members from Scotland, have had no opportunity to debate, consider and scrutinise what has been designed in this place. May we have proper time for at least the devolution settlement?

One last thing: 650 Members of Parliament are quite likely to be exiting the House in the small hours of the morning next week, when there will be no public transport available at all, making an absolute mockery of all the security arrangements in this place. Has the Leader of the House any consideration for the safety of Members, and what will she do to ensure that we can vacate these premises safely?

Andrea Leadsom: First, with great warmth may I congratulate the hon. Gentleman, who I understand was elected 17 years ago today? He is now the longest-serving Scottish MP—he obviously quite likes being in Westminster, even though he will not admit to it.

As I said to the hon. Member for Walsall South (Valerie Vaz), a programme motion normally comes forward the day before a debate, but we will try to bring it forward earlier than that, to help colleagues who wish to prepare themselves. The hon. Member for Perth and North Perthshire (Pete Wishart) says that we are not allowing time for debate, but on the specific points he raised, on two occasions in this Chamber the Commons voted in favour of the Government and against including any statement of membership of the customs union in the Bill. We will be dealing with that amendment by

their lordships for the third time. The Commons also voted in favour of the Government and in support of removing the charter of fundamental rights from our law books, and the Commons again supported the Government on setting exit day in the Bill. There has already been considerable debate, and, as I set out, we will continue to provide time for further debate in this House next week.

**Dame Cheryl Gillan** (Chesham and Amersham) (Con): May we have an urgent debate on the national parks review, so that we can give a warm welcome to the appointed chair, Mr Julian Glover, who I know will do an excellent job? More importantly, we can also find out who has been appointed to the advisory panel, when the review will start, and when those results will be published.

**Andrea Leadsom**: I join my right hon. Friend in welcoming the national parks review. I have no specific information on that matter right now, but if she would like to write to me I can certainly look into it for her.

**Mr Speaker**: I hope colleagues will want to join me in congratulating the hon. Members for Southend West (Sir David Amess) and for Gainsborough (Sir Edward Leigh) in the week, if memory serves me, that they mark the 35th anniversary of their election to the House.

**Sir David Amess** (Southend West) (Con): Will my right hon. Friend find time for a debate on the future role of the House of Lords? I have the highest regard for its work as a revising Chamber, but it does seem to be somewhat oversized, even allowing for sad deaths and retirements, and the Liberal party certainly seems to be over-represented in the other place.

**Andrea Leadsom**: I certainly agree with my hon. Friend and I am grateful to him for his question. There is a complete dearth of elected Liberal Democrats, which is more than made up for by their presence in the other place. The Government are committed to ensuring that the House of Lords continues to fulfil its constitutional role as a revising and scrutinising Chamber, which respects the primacy of the House of Commons. We will continue to work to ensure that the House of Lords remains relevant and effective, and addresses issues such as its size.

**Mr Speaker**: I hope colleagues will want to join me in congratulating the hon. Members for Southend West (Sir David Amess) and for Gainsborough (Sir Edward Leigh) in the week, if memory serves me, that they mark the 35th anniversary of their election to the House. They have served continuously ever since their first election.

**Nick Smith** (Blaenau Gwent) (Lab): This July sees the 70th birthday of the national health service. Our House should celebrate this brilliant institution and its architect, one of my predecessors, Aneurin Bevan. May we have a debate in Government time to look at the services, the funding and the future of this much loved public service?

**Andrea Leadsom**: I completely share the hon. Gentleman’s enthusiasm for and love of the NHS. It is an amazing achievement for the United Kingdom, one that is admired and envied across the world. He will be aware that it has been considered the best health service in the world on more than one occasion. He is absolutely right that we need to mark and celebrate its 70th anniversary. That will indeed be forthcoming and there will be many more opportunities to debate the successes, as well as the needs, of our NHS in future weeks and months.

**Paul Masterton** (East Renfrewshire) (Con): One of my constituents, Nicolle Finnie, has been selected to represent the UK in the cooking competition at the EuroSkills championships in Budapest in September. This represents the pinnacle of achievement for apprenticeships and technical skills for young people. Will the Leader of the House join me in congratulating Nicolle and the rest of Team UK? Does she agree that high quality apprenticeships,
and technical and vocational education, which the EuroSkills championships seeks to promote, are vital in instilling the next generation with the skills employers need.

Andrea Leadsom: I am delighted to join my hon. Friend in congratulating Nicolle and the rest of Team UK on their selection. Cooking is a fantastic skill and my own daughter will be extremely jealous to hear about Nicolle’s success. I totally agree that apprenticeships and vocational and technical education are vital in equipping the next generation with the skills they need. The EuroSkills championships are fantastic events, showcasing talent and skills from around Europe and the rest of the world.

Carol Monaghan (Glasgow North West) (SNP): The Passport Office’s one name policy is preventing many British citizens, including my constituent Nabila Damasceno, from obtaining a passport. Will the Government make a statement on the Passport Office’s one name policy?

Andrea Leadsom: The hon. Lady raises a very important and significant constituency concern. She will be aware that the Home Office is taking some very strong steps to review the way in which those who are seeking visas are being treated. The Home Secretary has undertaken to review all policies. If she wants to raise a specific constituency issue, I encourage her to raise it directly with Ministers.

Mr John Hayes (South Holland and The Deepings) (Con): Yesterday, along with Members from across the House, I had the pleasure of meeting veterans from the British Nuclear Tests Veterans Association—I am their patron. There are just 1,500 survivors of the 22,000 who were sent to far-off places for those nuclear tests. One wrote: “We are doomed to spend our time in a land that time forgot.” We are the only country that does not recognise them formally and they are now asking for a medal. I wonder if the Leader of the House will ask a Defence Minister to come to this House and confirm that the Government will award that medal, so we can give to those who gave so much for us.

Andrea Leadsom: I certainly join my right hon. Friend in paying tribute to all those who undertook this extremely frightening and, in many ways, appalling experience. I encourage him to raise this directly with Ministers on Monday 11 June at Defence oral questions.

Mr Speaker: I have just been advised—I think I have heard the hon. Gentleman. I am very concerned to hear what the hon. Gentleman is raising. I certainly will take it up on his behalf, but I will ensure that he has the opportunity to raise this directly with Ministers. If he wants to do so via me, I am happy to take it up on his behalf, but he should raise directly with Ministers. If he wants to make a case, I am happy to do so via me, but I will ensure that he has the opportunity to raise this directly with Ministers.

Robert Courts (Witney) (Con): I recently organised the first meeting between the Oxfordshire clinical commissioning group and West Oxfordshire District Council to plan for our area’s future healthcare needs. Does this not highlight the need for proper, joined-up planning between councils and health bosses in the complicated area of health and social care, and may we please have a full debate to discuss this very complicated issue?

Andrea Leadsom: My hon. Friend is right to raise this. It is an incredibly tricky area and it certainly impacts on my constituency, not far away from his. While district councils do not have responsibility for health or social care, the Government absolutely agree that it is vital that health and social care work together at every level to plan and join up services effectively. He will know that upper-tier and unitary local authorities and CCGs are required to sit on their area’s health and wellbeing board to develop a local joint health and wellbeing strategy to address health and social care needs in each and every area.

Jonathan Reynolds (Stalybridge and Hyde) (Lab/Co-op): May we have a debate about the length of time that it is taking to process personal independence payment appeals? My constituent Frankie Cooper of Hyde has waited nearly 10 months for an appeal against the decision to take away her mobility car. This is far too long and she deserves to have the issue resolved. Too often this Government have presided over a social security system that is cruel and inefficient; surely it is time to discuss just how they can do better.

Andrea Leadsom: The hon. Gentleman is raising a specific issue. I am sorry to hear about that delay. It does not sound acceptable, and obviously it is something he should raise directly with Ministers. If he wants to do so via me, I am happy to take it up on his behalf, but equally I will appreciate that the point about personal independence payments is to give people greater power and control over their lives, to give them greater quality of life and to support them in maximising the opportunities available to them. Where it goes wrong, we need to sort it, but the policy itself is a good one.

Douglas Ross (Moray) (Con): May we have a debate on the Queen’s award for voluntary service? In Moray, we are exceptionally proud to have more recipients this year than Glasgow and Edinburgh combined. Does my right hon. Friend agree that that shows the true community...
spirit in Moray? The organisations that were successful include Morayvia, Fochabers heritage centre, Step by Step in Moray and Moray HandyPerson Services.

Andrea Leadsom: I always enjoy congratulating my hon. Friend on the amazing achievements of his constituents. It is fantastic that four voluntary organisations in Moray were honoured with the Queen’s award for voluntary service this year. I know that he was present at Morayvia on Saturday evening when the lord-lieutenant of Moray announced their success, and it is a great testament to the exceptional standard of volunteer services in Moray.

Ian C. Lucas (Wrexham) (Lab): Cabinet Office officials have been conducting surveys in Wrexham about Brexit and other issues. My named day question to the Cabinet Office on the matter—on the reason for these surveys—remains unanswered, despite being lodged on 16 May. Would the Leader of the House have a word with the Cabinet Office to answer my question and find out why the Conservative party are so interested in my constituency?

Andrea Leadsom: I am sure the hon. Gentleman will understand entirely why the Conservative party might be interested in all constituencies around the UK: in Government, we are always keen to provide the best possible service to all those who live in this great country of ours. We have Exiting the European Union questions on Thursday 14 June. That would be a good question to raise then, but if he wants to raise it with me separately, I can take it up for him.

Nick Herbert (Arundel and South Downs) (Con): The new rail timetable had already disadvantaged my constituents in Hassocks by increasing journey times and withdrawing peak-time services, but its introduction has been a complete shambles, and my constituents continue to be disadvantaged by the cancellation and withdrawal of services on a daily basis. May we have an urgent debate on the abysmal performance of Govia Thameslink Railway and Network Rail, so that those organisations can be held to account?

Andrea Leadsom: My right hon. Friend is absolutely right to raise what must be a hugely frustrating experience for his constituents. The disruption of Govia Thameslink Railway services has been completely unacceptable and the Secretary of State for Transport has himself apologised for the disruption that passengers are experiencing. The Department for Transport is working round the clock with GTR to stabilise services, and that includes monitoring ongoing performance and agreeing on a revised, more consistent timetable. However, I hope my right hon. Friend will encourage his constituents to apply for GTR’s Delay Repay compensation, so that they can get their money back in the case of all affected journeys.

Liz McInnes (Heywood and Middleton) (Lab): Yesterday it was my pleasure to see my hon. Friend the Member for Bradford South (Judith Cummins) being presented with a “parliamentarian of the year” award by the road safety charity Brake. To mark that occasion, may we have a statement on when the Government intend to introduce tougher sentences for those who cause death or serious injury by dangerous driving, as was promised at the end of the consultation in October last year?

Andrea Leadsom: First, let me congratulate the hon. Member for Bradford South on receiving the award: that is a great achievement. Secondly, let me suggest that the hon. Member for Heywood and Middleton (Liz McInnes) might wish to seek an Adjournment debate so that she can raise the issue directly with a Minister, and ask when the Government expect to be able to take such action.

Mrs Anne-Marie Trevelyan (Berwick-upon-Tweed) (Con): Will the Leader of the House find Government time for a debate on the challenge involved in meeting the universal service obligation for rural broadband? In communities throughout north Northumberland, including mine, the challenge of putting the infrastructure in place in time for the universal service obligation to be met is still enormous.

Andrea Leadsom: I entirely share my hon. Friend’s concern about the speed of the roll-out of rural broadband. She will be pleased to hear that the Government’s determination to roll out superfast broadband in rural areas—with a significant investment of more than £1 billion—is making good progress. There is more to be done and she may well want to seek an Adjournment debate to discuss her specific constituency issues.

Jonathan Edwards (Carmarthen East and Dinefwr) (PC): The devolution amendments to the European Union (Withdrawal) Bill that were passed in the other place would fundamentally undermine the Welsh constitution. When the Leader of the House designs next week’s programme motion, will she ensure that there is plenty of time for debate on the amendments—not least the Commons amendments to the Lords amendments—so that we can vote on them?

Andrea Leadsom: The hon. Gentleman has raised an important point, which I shall certainly take into account.

Luke Graham (Ochil and South Perthshire) (Con): The Office for Budget Responsibility is currently responsible for examining and reporting on the sustainability of public finances, but it has no power to consider the effect of alternative policies, and does not score every piece of legislation like the Congressional Budget Office in the United States. Will the Leader of the House grant a debate on the establishment of an independent fiscal accountability agency that would be responsible for analysing and assessing the sustainability of funding arrangements?

Andrea Leadsom: Having seen the eye-watering costs associated with the Opposition’s 2017 manifesto, I am personally incredibly sympathetic to my hon. Friend’s request. As he points out, the OBR has no current plans to extend its remit to the costing of Opposition policies. I strongly encourage him to apply for a Back-Bench debate to discuss these matters, which I am sure many Members would enthusiastically support.

Mrs Madeleine Moon (Bridgend) (Lab): May we have a debate on the research carried out by the Forces in Mind Trust and the universities of York and Salford on the negative experience of service leavers in branches of Jobcentre Plus? There is a lack of understanding of
post-traumatic stress disorder, and of the great skills that members of our services can bring to the civilian workforce.

Andrea Leadsom: The hon. Lady has raised an incredibly important point about stress and the appalling impact of experiences in the field of war. Defence questions will take place on Monday 11 June, and she may wish to take the matter up directly with Ministers.

Philip Davies (Shipley) (Con): May we have a debate on how out of touch this House is with public opinion? The EU referendum proved beyond all doubt that the House was out of touch with public opinion on the EU. It is clearly also out of touch with public opinion on sending more criminals to prison—which clearly the public want to do, whereas the House always wants to send fewer—and on the splurge in overseas aid, which most people think is ridiculous but people in this House seem to think is wonderful. May we have a debate on this to see whether there is anything at all on which the House is in step with public opinion?

Andrea Leadsom: I think that that would be a great subject for a debate. It would certainly be a very broad-ranging and well-attended one. I do not quite know where to start. I personally support that. I will give it some thought.

Gavin Newlands (Paisley and Renfrewshire North) (SNP): Tomorrow, I will be attending the Scottish Women in Sport conference, where I am sure we will pay tribute to the longest-serving sports chief executive officer in the UK, Badminton Scotland’s Anne Smillie, who, after driving her sport for 38 years—28 as CEO—is retiring. Will the Leader of the House join me in thanking her? To mark her service, may we have a debate on the importance of women in sports leadership roles?

Andrea Leadsom: The hon. Gentleman raises a popular and important point about the role of women in sport. I was appalled the other day to hear that no woman makes it into the top-100 wealthiest sports people, and it is pretty shocking. He might wish to seek an Adjournment debate, or perhaps a Westminster Hall debate to discuss what more could be done.

Alex Burghart (Brentwood and Ongar) (Con): Please may we have a debate on the future of the car industry, which is so important to my constituency?

Andrea Leadsom: There are lots of requests for debates coming forward, and I always take them very seriously. I know the hon. Member for Rhondda (Chris Bryant) will be delighted that there will be a debate on acquired brain injury. I will consider my hon. Friend’s request. The car industry is vital to the United Kingdom, particularly as we leave the European Union.

Stella Creasy (Walthamstow) (Lab/Co-op): Will the Leader of the House update us on when the domestic abuse Bill—which could prevent a rape victim from having to give testimony in open court about their human rights breaches when it comes to abortion—will come to the House so that we can vote on repealing the Offences Against the Person Act 1861?

Andrea Leadsom: I am incredibly sympathetic to the hon. Lady’s work on abortion. I myself am entirely pro-choice. She has raised an important issue. The domestic abuse Bill will come forward in due course. It is being published in draft because it is important that we get the measures absolutely right, including the new definitions of domestic violence, economic abuse and so on. It is vital that we get it right, but we will bring it forward as soon as we can.

Mary Robinson (Cheadle) (Con): The focus this week has been on Heathrow expansion, but regional airports, such as Manchester, which employs 3,000 people from my constituency, make a vital contribution to economic growth, not only in the northern powerhouse but right across the country and globally. May we please have a debate on the importance of regional airports to both internal and global connectivity?

Andrea Leadsom: My hon. Friend will be pleased to know that there will be ample opportunity to discuss not just the proposal for Heathrow expansion but the impact it could have on regional expansion. That debate will be coming up in the next couple of months, and I hope she will take the opportunity to contribute.

Mr Paul Sweeney (Glasgow North East) (Lab/Co-op): The will of the House was clear on Tuesday—the sentiments expressed were clear—so when will the Leader of the House grant a debate on removing abortion from criminal law altogether and regulating it in the same way as other medical procedures?

Andrea Leadsom: I hope that the hon. Gentleman has listened to some of the debates this week. I say again that I myself am pro-choice. On the issues for Northern Ireland, it is essential that we get a fully restored Northern Ireland Executive to tackle these issues as a top priority, and of course all issues of abortion for the United Kingdom remain under review.
Eddie Hughes (Walsall North) (Con): May we have a debate on the effectiveness of events such as the Jo Cox Great Get Together weekend in tackling loneliness and isolation, and will the Leader of the House come to Willenhall or Bloxwich for events I have organised?

Andrea Leadsom: I would be delighted to visit my hon. Friend’s constituency and to take part in some of his loneliness events. I and many colleagues have prioritised trying to alleviate loneliness in our constituencies and the kind of get-togethers, coffee mornings and community events that take place do so much on that. I congratulate my hon. Friend on his work.

Alan Brown (Kilmarnock and Loudoun) (SNP): By any logic, with 420 people investing in the fraudulent £19 million Corran hotel development, it should be seen as a collective investment scheme, but the Financial Conduct Authority refuses to recognise it as such, so will the Leader of the House make a statement outlining how we can get the FCA to take the proper action?

Andrea Leadsom: I am not entirely familiar with this issue. It seems to me that it is a question for the FCA, possibly via the Treasury. If the hon. Gentleman wants to write to me about it, I can look into what more he can do.

Stephen Kerr (Stirling) (Con): I am delighted to tell you, Mr Speaker, and the House that, last week, the UK Government, the Scottish Government and the local authorities finally signed the Stirling and Clackmannanshire city region deal, which is very good news for my constituency. May we have a debate in Government time on how we can improve the way that the UK Government, the devolved Administrations and local authorities work together to benefit all the people of the United Kingdom?

Andrea Leadsom: I congratulate my hon. Friend on the signing of that city deal. It will be very important for Scotland, but also for the United Kingdom; we want to see all parts succeeding, particularly as we all leave the European Union in March 2019.

Mike Gapes (Ilford South) (Lab/Co-op): This year marks the 50th anniversary of the nuclear non-proliferation treaty. May we have an early debate on nuclear non-proliferation, particularly in the light of the developments with regard to Iran and the American withdrawal from the nuclear deal and the forthcoming Trump-Kim summit on North Korea?

Andrea Leadsom: That is an incredibly important subject and the hon. Gentleman might want to take it up at Defence questions on Monday.

Vicky Ford (Chelmsford) (Con): Does my right hon. Friend agree that, while it is right to respect devolved democracies, it is also the responsibility of those devolved democracies to respect human rights and women’s rights? Will she make time available in this House for a debate in Government time, or maybe even in DUP time, for a full debate on women’s rights?

Andrea Leadsom: We have had a number of opportunities to debate this issue this week and I am sure that will continue, but it is a top priority for the Government to see a fully restored Executive in Northern Ireland.

Joan Ryan (Enfield North) (Lab): Violent crime, and knife crime in particular, continue to rise. Scotland has taken a public health approach with impressive results. May we have an early debate on the Government’s funding of public health, given that it did not even warrant a mention in the last Budget?

Andrea Leadsom: The right hon. Lady is absolutely right to raise the issue of serious crime. It is of great concern right across the country. We are seeing a spike in particular in knife crime and moped crime and the Government are determined to get a grip on those things. We have launched our serious violence taskforce. A lot of money is going to community groups that are trying to encourage people away from knife crime and gang violence and working in hospital A&Es with young people who have already, sadly, been stabbed to get them to turn away from such crime. There is more to be done, but the Government are absolutely determined to get a grip on this awful problem.

Rebecca Pow (Taunton Deane) (Con): I was one of those involved in the almighty tussle against the other place this week—that is, the tug-of-war raising valuable funds for the Macmillan charity. Will my right hon. Friend join me in thanking all who took part—we did overwhelm the noble Baronesses, Mr Speaker—and in praising the Macmillan charity? We never know if and when we might need that charity and, if and when we do, it is a great comfort to know that it is there.

Andrea Leadsom: I am delighted to congratulate all those who took part and particularly our House, who won. I also pay tribute to the fundraising effort. I understand that the tug-of-war has been taking place since 1987 and has raised more than £3 million for Macmillan, which is superb.

Jim Shannon (Strangford) (DUP): More people than ever are surviving their cancer thanks to the fantastic work of NHS staff in turning research breakthroughs into life-saving tests and treatments for patients. Cancer Research UK has an ambition of three in four survivors by 2034. Early diagnosis is important. Will the Leader of the House agree to a debate on that issue?

Andrea Leadsom: The hon. Gentleman rightly raises the achievements in alleviating the horror of cancer. Since 2010, cancer survival rates have increased year on year and there is great progress with the Cancer Drugs Fund and the £600 million cancer strategy for England. We have Health questions on Tuesday 19 June and the hon. Gentleman might want to raise that directly with Ministers then.

Bob Blackman (Harrow East) (Con): This Sunday will see the annual al-Quds demonstration and march. The Home Secretary and police say that they are powerless to stop the flags of the terrorist organisations Hamas and Hezbollah being openly displayed on the streets of London. May we therefore have a debate in Government time on proscribing the entirety of Hezbollah and Hamas so that the police can then take action against these terrorist groups?

Andrea Leadsom: My hon. Friend raises a complicated issue. He will realise that the strategy towards Hezbollah is one of great caution, but at the same time this country will never subscribe to any terrorist activity...
here and we take every step to keep our citizens safe. He might like to seek an Adjournment debate so that he can raise directly with Ministers his views on what more can be done.

Several hon. Members rose—

Mr Speaker: Order. Unless I am much mistaken the votes for women cause is very impressively represented in the Gallery today. We welcome the people who are here and thank them for articulating their views, not least through their magnificent rosettes, and it is great to see that among the adults there are also children who are conscious of their future rights and who will take pride in them.

I call Kate Green.

Kate Green (Stretford and Urmston) (Lab): I am glad you have called a woman, Mr Speaker. Will the Leader of the House arrange for an urgent statement to be made in response to the letter signed by me and more than 70 colleagues to the Home Secretary this week asking for an extension to the consultation on the Windrush compensation arrangements, which is due to close tomorrow? Black church leaders and Windrush defenders movements say that the community have not yet had enough time fully to submit their ideas and concerns about this process.

Andrea Leadsom: I am not entirely sure how I would be able to intervene on behalf of the hon. Lady, but I absolutely understand her concern and encourage her to take it up directly with Ministers today.

Mark Pawsey (Rugby) (Con): This week, I joined pupils at Riverside Academy in Newbold and on Monday I will be at Brownsover Community School to join them in their daily mile. May we have a debate on the educational benefits of young people taking regular exercise?

Andrea Leadsom: My hon. Friend raises an important point. I am a huge fan of the daily mile—I would like us to be doing it ourselves here in Parliament, Mr Speaker. Programmes such as the daily mile are simple and inclusive and are a very good way to include all children in physical activity. Our childhood obesity plan sets out that primary schools should deliver at least 30 active minutes each day through break times, PE, extra-curricular clubs and so on, and over 1,200 schools in England have already signed up for the daily mile.

Chris Bryant (Rhondda) (Lab): I am enormously grateful to the Leader of the House that we are having our debate on acquired brain injury, not least because the concussion suffered by the Liverpool goalkeeper in the recent Champions league match shows absolutely that football has not yet got this right: it should not be the club doctor who makes the decision about whether somebody continues to play; it should be an independent medical assessment. I hope the Leader of the House will make sure that it is not just a Health Minister who is present for this debate, but that the whole of the Government are represented, because there are so many issues for so many different Departments. I am grateful, however.

Andrea Leadsom: First, I am glad that the hon. Gentleman is pleased. Secondly, he raises a very important point. Acquired brain injury can affect any person through any reason, whether a violent attack, a sporting accident or an industrial accident. I am sure the hon. Gentleman will make those representations very clearly, and I for my part will ensure that the Government are listening carefully.

Jeremy Lefroy (Stafford) (Con) rose—

Mr Speaker: Keeping the best until last: Jeremy Lefroy.

Jeremy Lefroy: Thank you, Mr Speaker. Given that many European countries allow their embassies in Africa to issue business and other visas on the spot, may we have a debate on our own embassies and high commissions throughout Africa taking back control and being able to do the same, to encourage investment and trade with all those countries that are such great partners of ours?

Andrea Leadsom: My hon. Friend is a great champion of trade with Africa and he is right to be so. That is an interesting idea. I encourage him to seek an Adjournment debate so that he can first run his idea directly past Ministers.
SCOTTISH AFFAIRS COMMITTEE
Select Committee statement

Madam Deputy Speaker (Dame Rosie Winterton): We now come to the first Select Committee statement. Pete Wishart, Chair of the Scottish Affairs Committee, will speak on this subject for up to 10 minutes, during which no interventions may be taken. At the conclusion of his statement, I will call Members to put questions on the subject of the statement and call Pete Wishart to respond to them in turn.

12.20 pm

Pete Wishart (Perth and North Perthshire) (SNP): I am eternally grateful to you, Madam Deputy Speaker, as I am to the Backbench Business Committee for giving us the time for this statement. It is on the third report of the Scottish Affairs Committee and is the result of our short inquiry into Royal Bank of Scotland branch closures in Scotland.

On 1 December 2017, RBS announced its intention to close 62 branches across Scotland, leading to the loss of 158 jobs. The closures would be in every part of Scotland, and they would result in the loss of the last branch in town for many communities, contrary to the commitment given by RBS in 2010. The reaction to the announcement was, as expected, overwhelmingly negative, with communities, business groups, unions and Members of Parliament from all parties in Scotland expressing their grave concern at the loss of such valued community assets. Rarely in my 17 years in the House—I am marking that today—have I seen such a unanimous response to a single issue. When protests and demonstrations are organised in usually quiet and sedate communities such as Aberfeldy in my constituency, we know that something unpalatable has been offered to these communities.

In our inquiry, we took evidence from representative groups and organisations, and we invited members of the public affected by the closures to get in touch. We had two evidence sessions involving senior executives from RBS, with the RBS chief executive officer, Ross McEwan, joining us in our second session. We also took the opportunity to hear from the Lending Standards Board, which oversees the voluntary code of practice on branch closures. We are of course grateful to all who took the time to help us with this report.

In our evidence, we were told that rural communities would be particularly affected by the closures. Scottish Rural Action told us that “it can take people a really long time, having to use several modes of transport and at great expense, to travel to the next nearest bank, sometimes involving ferries as well as public transport.”

We were told that people with mobility issues and caring responsibilities would also be particularly badly affected, and we received accounts from individuals concerned about the impact on their elderly relatives. The consumer group Which?—it was very helpful to us in this inquiry—told us:

“Bank branch closures disproportionately impact vulnerable consumers, particularly those in rural areas, those without access to good broadband, and those on lower incomes.”

We heard from business groups, which told us that it would be much “more difficult to run a business in much of Scotland—including many deprived communities and tourism hotspots”.

My constituents are dependent on such hotspots. In its evidence, the Federation of Small Businesses said that closures often created additional costs for business owners, making it more difficult to manage cash flow, with productivity in the wider local community suffering as a consequence.

We concluded that the closure of these branches would be a devastating blow to the affected communities, removing vital services that are relied on by businesses and disproportionately affecting vulnerable customers. We were not convinced that RBS fully appreciated the damage that these closures will do to the communities and businesses that rely on these branches.

RBS told us in its evidence that these closures were driven by changes in customer behaviour. It said that it is closing branches in response to the increasing numbers of its customers accessing services online and via mobile devices. While there is absolutely no doubt whatsoever that customer behaviour is evolving, with more people now using digital services, our inquiry found a real demand for a local branch as a feature of local communities.

We also explored whether RBS was in fact trying to lead customer behaviour by incentivising customers to transfer to digital accounts and force them on to other platforms by this programme of closures. RBS was keen to assure the Committee that no targets were set and that there were no incentives for digital take-up. However, we did see such reports in the press, including a screenshot of a document appearing to show that targets were set in its centres, and we asked RBS to clarify that. In its response, it told us that “colleagues have goals to serve our customers well”, and that the screenshot was a “standard performance document”, in which staff are “expected to agree objectives with their line manager...as well as ways of measuring against these goals”.

I will leave it to the House to assess whether public behaviour is being met or being led by RBS.

We did find, quite curiously, that these closures are not motivated by any savings to the bank. RBS will save only some £9.5 million. That is a significant sum, but absolutely nothing against a cost base of £4 billion. It is actually a smaller figure than RBS spent on sponsoring rugby, which came in at £11 million a year. That prompts this question: why is RBS antagonising its customer base with this unpopular closure programme for what, to it, is merely a pittance of a saving, but with all the subsequent reputational costs? That might have something to do with Unite the union’s view that this is intended to improve the value of the bank’s shares and for “ripening it up to go back into the private sector”.

This week, of course, we find that RBS shares are to be marketed, at a significant cost to the taxpayer who acquired them at almost double the value when the banks were recapitalised in 2008.

That brings us to the majority shareholder: you, Madam Deputy Speaker, me and all the taxpayers of the United Kingdom, who still own over 70% of the stock of RBS. The Government are the steward of this...
public interest, but they have showed no interest whatsoever in exercising any influence as our guarantor in this closure programme. The stock response from the Government was to say that they do not get involved in commercial decisions. We were profoundly disappointed that no Minister showed us the courtesy of coming to our Committee and being prepared to be challenged by the Committee on that assertion. Perhaps we could explore further with Ministers what influence may have been exerted. It remains baffling that, as the main shareholder, the Government have expressed no view whatsoever about these bank closures.

We repeatedly asked RBS what would happen if the Government sought to make their displeasure known and perhaps asked it to reconsider its closure programme, but we never secured a satisfactory response to that question. What Ross McEwan told us was that he had received no representations from the UK Government on the subject of branch closures. We say in our report:

“If RBS does not act on our recommendation to halt the closures we recommend that the Government use any influence that its majority shareholding provides to apply pressure on RBS to reconsider the closure programme.”

We did, however, make some headway in securing concessions from RBS. After our first evidence session, RBS announced a reprieve for 10 branches until the end of 2018. It also offered a variety of other concessions, such as giving the buildings it owns over to community use and assistance with digital services for high-use, regular customers. The reprieved branches were primarily the last bank in town and those more than nine miles from the next nearest RBS branch.

When this reprieve was announced, RBS said:

“Should any of these branches see sustainable transactional increases and viable new income over this period, then the bank will reconsider the closure of the relevant branch as part of a full independent review.”

RBS provided little information about how such reviews would be conducted, and the company originally charged with leading this work is now unable to do so. There remains a great deal of uncertainty about how these branches will be evaluated and on what basis decisions about their closure will be taken. We therefore have serious concerns that these branches are being set up to fail. In our report, we say that “RBS should postpone the review of these branches until 6 months after the independent reviewer has been appointed”.

Lastly, the whole process of consultation has been spectacularly woeful. There is currently no requirement under the access to banking standard for banks to consult customers or staff ahead of a decision to close a branch. Given the public response we have seen to this report, there is great interest in local communities about being consulted ahead of branch closures. We therefore recommend that the Lending Standards Board consult on amending the access to banking standard to require banks to consult their customers, to assess the impact of closures on customers and communities, before final decisions on branch closures are taken.

Branches are now being closed and vital community assets are being lost. We say, even at this stage, that we should see what we can do to keep these branches open. If RBS truly wants to meet the needs of its customer base, it should respond to this overwhelming evidence and halt its closure programme. Given the recent profits reported by RBS, this is a cost it could easily afford to bear.

Stephen Kerr (Stirling) (Con): I welcome unreservedly the hon. Gentleman’s Committee’s report. I am pleased to tell the House that earlier today RBS announced its decision, after much discussion, that the Bannockburn branch will now remain open at least until the end of the year. That is something, at least. He has rightly pointed out that there is no financial gain for the Royal Bank of Scotland in closing any of these branches, so does he agree that the Lending Standards Board should immediately publish all its workings in relation to the closure of these RBS branches?

Pete Wishart: I am grateful to the hon. Gentleman for his remarks, and I am pleased and satisfied to hear that his Bannockburn branch will be among the 10 that will remain open at least until the end of the year. He is absolutely right to say that there are major issues with the Lending Standards Board when it comes to the consultation, and we were less than satisfied with its explanation why it could not give us any of the information on the closures that had been supplied to it by RBS. There was a full discussion about those issues, and even at this stage, we will try further to secure that information for the hon. Gentleman.

Jonathan Reynolds (Stalybridge and Hyde) (Lab/Co-op): I am grateful to the Scottish Affairs Committee for undertaking this work on what is an extremely important issue, and I welcome the hon. Gentleman’s proposals, which mirror many of those in the last Labour manifesto. Much has been made by the Government of the availability of post offices as an alternative when the last branch in town closes. Did the Committee assess whether that would be a suitable alternative for the communities in Scotland that will be particularly badly hit by the RBS proposals?

Pete Wishart: We did take evidence from the Post Office during the inquiry, to assess whether that would be possible in the way that the hon. Gentleman has described. We are not satisfied that this would provide any real alternative. I cite the example of my constituency, which is experiencing severe post office branch cuts. However, there will be transactions, and we managed to secure from the RBS a further commitment to ensure that relevant staff training would be given to sub-postmasters and sub-postmistresses to improve their skills to deal with the increased number of people who will be coming to them for their services.

Paul Masterton (East Renfrewshire) (Con): I thank the Chairman of the Select Committee for his statement. I was proud to work with him on the report. Does he agree that the real concern is the terms of the review for the branches being given a reprieve? The closure date is still the same, yet the period for the review is shorter. We do not know who will carry out the review or what its terms will be. As he said, it seems that those branches are simply being set up to fail.

Pete Wishart: The hon. Gentleman is an assiduous member of the Scottish Affairs Committee, and I am grateful for his contribution. He is absolutely right, and he will recall some of the conversations we had with RBS about the reprieved branches and the dissatisfaction expressed by all of us on the Committee that there is no independent reviewer in place. He will recall that, as
part of our recommendations, we said that those branches should be reprieved for a further six-month period until such a reviewer is in place. Also, we have to know the criteria by which those branches are being assessed. What we have secured from RBS at this stage is clearly insufficient to ensure that a proper assessment will be made.

Patricia Gibson (North Ayrshire and Arran) (SNP): I, too, would like to extend my thanks to my hon. Friend and to the Scottish Affairs Committee for this excellent report. Does he agree that the report absolutely lays bare the fact that RBS has ridden roughshod over our communities and that the lack of consultation by RBS throughout this entire process is clear? The access to banking standard requires banks to make an assessment of the impact of branch closures, but that is simply not possible if banks such as RBS do not consult their customers directly before making decisions on closures. Does he further agree that, with the UK Government now selling RBS shares below market value and with RBS paying £16 million in bonuses last year and recently announcing record profits of £752 million, the sense of anger and betrayal felt by my constituents in Kilwinning, Kilbirnie and Saltcoats is completely justifiable?

Pete Wishart: My hon. Friend’s questions are all absolutely spot on, and they are all related. On the question of consultations, we had real issues with how the Lending Standards Board was going about this. Our report found that there is clearly a sense that the voluntary code is not working satisfactorily and that the Government should at least examine the possibility of putting statutory regulations in place so that communities can be consulted in advance about branch closures. I hope that that is something the Minister will be able to take away from all this. I will say no more about the selling of RBS shares, other than what I said in my statement, because that is not part of the report, although we note the massive profits made by RBS in the first quarter of this year and the comparatively paltry £91 million that has been saved by these branch closures, as well as the impact of the huge reputational cost to the bank.

Luke Graham (Ochil and South Perthshire) (Con): I congratulate my neighbour, the hon. Member for Perth and North Perthshire (Pete Wishart), on this report. I also welcome the extension of the life of the Alloa branch in my constituency, which was announced earlier this morning. Will he join me and other colleagues across the House in seeking further clarification on the criteria for these branch closures? When other Members and I met RBS representatives earlier this week, there seemed to be no differentiation between the criteria being applied to urban branches and those applied to rural ones. That is a major concern for north and south Perthshire.

Pete Wishart: I am grateful to my neighbour for making that point. I note that that branch in his constituency has secured a reprieve, along with the branch in Comrie, which is just down the road from my constituency. He is right to suggest that this is a critical test for RBS. This is one of the concessions that we were able to extract from the bank, and we welcomed its announcement of the reprieves, but it must demonstrate that these branches are not simply being set up to fail. We need to ensure that, when it talks about an increase in transactional and business, it is able to assess that properly. The Committee will have an ongoing monitoring role to ensure that this situation is properly monitored, and we will report back to the House in due course.

Patrick Grady (Glasgow North) (SNP): I join others who have congratulated the Scottish Faither of the House on his 17 years of service. That is a record that none of the rest of us will be able to achieve, because Scotland will be independent before any other Scottish MPs have served 17 years. Does he share my concern that these closures are taking place in the context of an overall diminishing of our high streets? We are seeing the jobcentre closure programme, for example, and the risks that some post offices are facing, alongside other bank closure programmes and the closure of some high street stores. The Government, as the majority stakeholder, have a responsibility not only for the banking services but for the overall wellbeing of our high streets.

Pete Wishart: I will offer no opinion on the longevity of other hon. Members in this House, but I very much agree with my hon. Friend about what seems to be a loss of town centre and village amenity and fixed assets. The response to the bank closure programme that we saw not only in my constituency but in that of the hon. Member for Ochil and South Perthshire (Luke Graham) and in some urban centres—indeed, in constituencies right across Scotland—demonstrates how much value communities place on these assets. The jobcentre closures will probably have more impact on urban centres than on constituencies such as mine, but this is certainly an issue for the Government. As part of their reflections on our report, perhaps they could take a look at what is generally happening in our high streets, towns and villages across Scotland.

Douglas Ross (Moray) (Con): I congratulate the hon. Gentleman and his Committee on this report, which I fully endorse. Moray has had no branch closures in this round of cuts, but we have suffered a reduction in mobile banking provision, particularly in Lossiemouth, which has lost one of its visits each week to allow the mobile bank to provide a service to other areas that have lost their branches. I notice that it was referenced in paragraph 75 of the report that the quality and availability of mobile banking was a concern. What more can we do to encourage RBS to improve its mobile banking service, given that it is currently letting people down in Lossiemouth and in other areas of Moray?

Pete Wishart: I am grateful to the hon. Gentleman for his diligent recollection of section 75 of the report. We had an extended conversation with RBS about the availability of its mobile banking system. Our constituents are already beginning to detect real issues because the mobile banks are now expected to serve areas impacted by branch closures. RBS was determined to assure us that effective and efficient timetables would be drawn up, but the evidence thus far is that it has not been able to produce them. Again, as part of our rolling brief to keep this under review, we will keep a clear eye on what is happening. Mobile banks provide a real point of
contact where customers can access banking services, and they are an important feature of the new delivery of services.

Ged Killen (Rutherglen and Hamilton West) (Lab/Co-op): I thank the Chair of the Select Committee for his thorough account of what I think was an excellent report, save for the disappointing lack of input from the UK Government. Does he agree that it will be difficult for the reprieved branches to meet any meaningful increase in use, owing to restricted opening times, to a lack of a full range of services and to targets for customers to be moved online?

Pete Wishart: The hon. Gentleman is absolutely right. I note the amount of questions that have been asked about the reprieved branches and the real interest in that as an example of what can be done. RBS owes it to the House to demonstrate that it is looking at the matter responsibly and not just setting up those branches to fail. They should be given every opportunity to demonstrate their effectiveness and their ability to pick up footfall and customers. If RBS is listening to this statement—I am sure that it is—I hope that it will have heard the real concerns of Members right across the House about the 10 reprieved branches and that it will do everything possible to assist them to meet whatever criteria will be set for keeping them open. The important thing is that we get an independent reviewer in place and that we can assess those criteria.

Deidre Brock (Edinburgh North and Leith) (SNP): A key finding of our Select Committee’s very good report, and one which reflects the comments of other hon. Members today, is that RBS’s impact assessments did not provide sufficient information on individual branches, such as whether customers have sufficiently reliable access to broadband, how practical it was for them to travel to the next branch or what alternative services were available in the area. Does my hon. Friend agree that the Lending Standards Board’s limited interpretation of impact is woefully inadequate, allowing RBS to avoid its responsibilities to our communities, and that the board must now listen to the communities affected by bank closures and widen the criteria that it uses?

Pete Wishart: I am grateful to my hon. Friend, who is a diligent member of the Select Committee. As we said in the report, we have to be careful about the Lending Standards Board’s role, because it is a self-regulatory body with a voluntary code of practice. We ask the Government to consider that if the situation is not working, which seems to be the case because we have dissatisfied communities who feel that they have not had their voices heard in the consultation about branch closures, the Government should start to consider a statutory code of practice and allow a consultation to be held prior to a branch closure, not afterwards, as is currently the case.

David Linden (Glasgow East) (SNP): I commend my hon. Friend and his Select Committee on an excellent report. In my constituency, Stepps is due to lose its branch, and my dealings with RBS so far indicate that it probably knows more about Stepps than Stepps the community. Disappointingly, the campaign has had no impact at all. Will my hon. Friend join me in calling upon the Government to support the Access to Banking Services Bill, which was introduced by my hon. Friend the Member for Ceredigion (Ben Lake), that would support rural branches and community hubs in particular?

Pete Wishart: I will. It is a very fine Bill, and I hope that the Minister has cognisance of the many recommendations in it. Something needs to be done about the consultations on branch closures. There clearly are issues with the Lending Standards Board’s role in all this, and it needs to be closely considered, even just in a consultation-type exercise. I look forward to the Bill introduced by our hon. Friend the Member for Ceredigion (Ben Lake) making steady progress through the House.
Greening Finance

ENVIRONMENTAL AUDIT COMMITTEE
Select Committee statement

Madam Deputy Speaker (Dame Rosie Winterton): We now come to the second Select Committee statement. The procedure is the same as for the previous statement. I call the Chair of the Environmental Audit Committee.

12.42 pm

Mary Creagh (Wakefield) (Lab): I begin by thanking the Backbench Business Committee for allocating time today for me to present the Environmental Audit Committee’s recent report on greening finance. We launched our green finance inquiry in November to examine how the UK could mobilise investment in clean energy and encourage greater consideration of climate risk in financial decision making to avoid a carbon bubble. We held hearings with investors, asset owners, experts, financial regulators and Ministers. We also wrote to the 25 largest pension funds in the UK—responsible for nearly half a trillion pounds of assets—to see whether and how they are incorporating climate risk into their investment decisions.

The situation is vital to us all. The Committee on Climate Change estimates that we need to spend up to 1% of GDP, or £22 billion a year, to meet our carbon budgets. The Environmental Audit Committee found a dramatic collapse in low-carbon energy investment since 2015 that threatens the UK’s ability to meet its carbon budgets and tackle climate damage. Last year, Britain generated twice as much energy from wind as from coal, but green investment is faltering. In cash terms, investment in clean energy fell by 10% in 2016 and 56% in 2017. Annual investment in clean energy is now at its lowest level for 10 years. Is that a trend or a blip? It is too early to tell.

The Government must publish further details in time for the 2018 Budget on how they intend to secure the investment they need to meet our carbon targets. Providing clarity on the future of fixed-price contracts for renewables will be key to ensuring a pipeline of projects. We also need continuing access to development finance. The UK Government should negotiate to maintain the UK’s relationship with the European Investment Bank to provide funding for riskier, early-stage green infrastructure projects in the UK.

Let me set out how we want to see a green thread running through the investment chain. The 2008 financial crisis revealed the dangers of short-termism in our financial system. Climate change already poses material threats to our economy, our investments and our pensions. Seventeen of the 18 hottest years since records began have occurred since 2001. That means more droughts, heatwaves and wildfires and more extreme rainfall and flooding. Those risks will grow. In the time it takes today’s young people to reach retirement, the physical risks from sea level rise and more extreme weather will grow. That will affect investment in food, farming, infrastructure, home building and insurance, to name just a few.

Companies that do not make a timely low-carbon transition could also face costly legal or regulatory action. Some companies will be left behind by firms with cleaner, more efficient new technologies. Fossil fuel companies could be left with stranded assets in an overvalued carbon bubble—oil and coal deposits that they cannot burn—if we are to keep global temperature rise to less than 2°C. They also face increasing liability risks. The city of New York is taking legal action against five fossil fuel firms to recover the costs of protecting the city from flooding from rising seas caused by climate change.

The direction of travel for the global economy is clear from the Paris agreement and from what scientists are telling us about the risks of climate change. Despite that, the short-term horizons of many financial institutions, businesses and investment managers mean that sustainability risks are not always factored into financial decisions. The quarterly earnings cycle and structure of remuneration for investment consultants and fund managers encourages the pursuit of short-term returns rather than long-term considerations. Institutional investors can be prevented from acting on climate change due to confusion about the extent to which pension trustees have a fiduciary duty to consider environmental risks. KPMG’s 2017 corporate responsibility survey found that almost three quarters of large companies worldwide do not acknowledge the financial risks of climate change in their annual reports. More than half of institutional investors surveyed by HSBC said they were receiving “highly inadequate” information from companies about their approach to climate change.

The disclosure of climate-related risks would help financial markets work more efficiently. It would enable UK institutions and investors to position themselves ahead of the market to benefit from the low-carbon transition. My Committee is calling on the Government to clarify that pension schemes and company directors have a fiduciary duty to protect long-term value and should consider climate risks. Pension savers should be given opportunities to engage with decision makers about where their money is invested. Ministers must make it mandatory for large companies and asset owners to report their exposure to climate change risks and opportunities by 2022.

The UK’s existing framework of financial law and governance could and should be used to implement climate-related risk reporting. The Government should issue guidance making it clear that the Companies Act 2006 already requires companies to disclose climate change risks where they are financially material. Companies with high exposure to carbon-intensive activities should already be reporting on climate risks in their annual reports. UK financial regulators such as the Financial Reporting Council, the Pensions Regulator and the Financial Conduct Authority should amend their codes, rules and guidance to require climate-related financial disclosures. Companies and asset owners need time to develop how they report, but only if reporting is mandatory are we likely to see comprehensive and comparable climate risk disclosures. Embedding climate risk reporting in UK corporate governance and reporting frameworks could negate the need for new legislation. However, if regulators fail to implement that, there may be a need for new sustainability reporting legislation, such as France’s climate reporting law: article 173.

To those who ask whether we must do this, I say yes. To those who ask whether we are doing this, I say yes. The transition to a
low-carbon economy presents exciting opportunities in clean energy, clean transport and tech that could benefit UK businesses. And to those who ask whether we will do this, I say that London is the centre of global finance, so let us make it a global centre for green finance.

I commend the report to the House.

Kerry McCarthy (Bristol East) (Lab): I congratulate the Chair of the Environmental Audit Committee on, as always, doing a sterling job of steering us through the inquiry.

The Overseas Development Institute said in its evidence to our inquiry that the UK’s clean growth strategy is “undermined and contradicted” by our continued support for fossil fuel production overseas through UK Export Finance, which has been averaging £551 million a year in recent years. Does my hon. Friend agree it undermines our international climate commitments and our efforts to decarbonise our economy if we continue to support fossil fuel investment by British companies overseas?

Mary Creagh: I pay tribute to my hon. Friend’s always excellent and assiduous attendance and contributions. She is a real trailblazer and we are lucky to have her on our Committee.

My hon. Friend is absolutely right that the Overseas Development Institute has stated that our international approach is being undermined by UK Export Finance, and there is a case for this House, perhaps through a joint meeting of Select Committees, to examine where we are investing overseas, because, first, they may not be smart business investments and, secondly, they are undermining our stated international policy commitments.

There is perhaps a role for the Select Committee on International Development. The UK Government are doing brilliant work through the international climate fund and the UN. That work must not be undermined by businesses that are selling old technology, instead of taking this opportunity to leapfrog and, for example, put solar panels on mud huts in South Sudan, which is something I saw at a conference yesterday. There is an opportunity to leapfrog and not to make the same mistakes we made in our electricity generation.

My hon. Friend makes an excellent point with which I can only passionately agree.

Dr David Drew (Stroud) (Lab/Co-op): I congratulate my hon. Friend on another excellent report.

I am a bit surprised there was no contribution by the green investment bank, now the Green Investment Group. The bank was set up by Government to look at sustainable investment. I know it has been privatised, but surely it has some ongoing role in trying to get sustainable investment. Will my hon. Friend comment on what has happened to that organisation?

Mary Creagh: I did not have time to go into our examination of the green investment bank. Our previous report in the 2015 Parliament recommended a green share in a special purpose vehicle, and I am pleased that has been taken up by the Government. The green investment bank was set up in 2012 to address market failure in this area. The question is whether that market failure still exists, and the answer is yes. Do we still need an investment vehicle to create confidence and to create that pipeline? The answer, post-Brexit, is emphatically yes, which is why I mentioned access to European Investment Bank finance. Had we known Brexit was going to happen, would we have taken the same decision to privatise the green investment bank? Perhaps not.

Macquarie got the green investment bank, which has now been rebadged as the Green Investment Group, and there are still market failures. There is market failure in green transport, and our Committee heard there is no intermediate body to broker between the City of London and local authorities that want to decarbonise their local housing schemes and council housing through low-carbon combined heat and power plants. The bank could have been that bridge.

We looked at how the process of privatisation was very disrupted and took longer than we expected, and we are concerned the Green Investment Group is investing in less risky projects. Of the four projects it has financed since privatisation, one is in Ireland, one is offshore wind in Sweden, one is in India and, of course, one is in Wakefield, West Yorkshire, for which I can claim absolutely no credit—obviously it was an excellent decision.

The Committee has an anxiety about where the Green Investment Group is going to go and whether it will focus on easier-to-finance, safer and less risky overseas projects now it is part of an international bank and lose its focus on green investment in the UK. It would be a tragedy if it does that.

The Minister for Energy and Clean Growth (Claire Perry): I did not intend to ask the hon. Lady a question, but this gives me an opportunity to thank her and the Committee most sincerely for an excellent report. Again, I salute her leadership in this area.

Does the hon. Lady agree that the fact we still have a very substantial, multi-billion pound commitment from the Green Investment Group to invest in exactly the sorts of low-carbon innovation she and I both want to see is a sign of reassurance that the group will continue to access funds, in this case global funds, to invest in the UK and Europe?

Mary Creagh: I certainly hope that will be the case but, as we mentioned in the report, the Bloomberg figures show there has been a huge collapse in green investment in the UK—it has gone down from about £26 billion to £10 billion. We questioned the Minister on whether things are cheaper, whether there is policy uncertainty and whether there is Brexit uncertainty. I am pleased the Green Investment Group is promising to do that, and we look forward to seeing some of this project pipeline coming through, because we need £22 billion a year. This year we are on £10 billion, so we need to get that ramped up very quickly. I look forward to hearing more about how she will make that happen from a policy point of view.

Geraint Davies (Swansea West) (Lab/Co-op): I very much welcome the report, in which I played a small part. My hon. Friend will know that, globally, the fossil fuel subsidy is some £5.3 trillion, the size of the French and UK economies combined, yet 80% of fossil fuels cannot be exploited if we are to avoid irreversible climate change and to fulfil our Paris agreement. Uranium supplies will run out in 10 years once we start using nuclear to meet 12.5% of global energy needs.
Does my hon. Friend agree that the Government should take market leadership on investing in projects such as the Swansea Bay tidal lagoon and the wider lagoon network, which will provide 100 years of long-term sustainable and predictable energy, and that value for money should be seen in the round, alongside the climate risks identified in the report?

"Mary Creagh: I pay tribute to my hon. Friend’s work and leadership on our Committee. He is right to say that we need a stable policy environment in order to create a pipeline of low-carbon projects. The Committee found that the policy environment has been a bit destabilised by changes to feed-in tariffs and the early closure of some competitions, and things like that.

My hon. Friend is also right to say that low-carbon electricity, particularly new forms of generation, often has high up-front costs but very low operating costs. Obviously once we get it up and running, it will be up and running for the next 50 to 100 years. We need to hear from the Government, sooner rather than later, on what their green growth plan will mean and on the policy environment they will create to enable some of these innovative projects to be brought forward.

In the report, for example, we criticised the cancellation of the carbon capture and storage competition. Carbon capture and storage is tricky, risky and innovative, and companies had invested up to £60 million in research and development on those projects only for the competition to be closed with no notice. We do not want to see the same thing happen to the Swansea Bay tidal lagoon."

BILL PRESENTED

VIOLENT CRIME (SENTENCES) BILL

Presentation and First Reading (Standing Order No. 57)

Keith Vaz presented a Bill to increase the minimum custodial sentence on conviction for possession of a knife or other offensive weapon for an offender aged 18 years or over and to increase the minimum period of detention and training order for a person aged 16 or 17; to set a minimum custodial sentence on conviction for an offender in possession of a knife or other weapon and intending to commit any offence or having such a weapon available to use in committing murder; and for connected purposes.

"Bill read the First time; to be read a Second time on Friday 26 October, and to be printed (Bill 222)."

12.59 pm

"Damian Collins (Folkestone and Hythe) (Con): I beg to move,

That this House takes note of the Third Special Report of the Digital, Culture, Media and Sport Committee (HC 1115); and orders Mr Dominic Cummings to give an undertaking to the Committee, no later than 6 pm on 11 June 2018, to appear before that Committee at a time on or before 20 June 2018.

I am grateful to Mr Speaker for allowing the motion to have precedence today. As we all know, the function of this House is not just to vote on and pass legislation, and to debate Bills and matters of public interest, but to hold Ministers to account. There can probably be no Parliament in the world that provides more consistent or closer scrutiny of Ministers’ work than the House of Commons, but it is the work of Select Committees to continue that scrutiny, and to question and hold Ministers to account. Indeed, plenty of Ministers have got themselves into trouble as a result of evidence they have given to Select Committees. The additional privilege of the Select Committees is not just to question members of the Government, but to call anyone whose role, position and power in society makes them a matter of interest and a subject of interest for our inquiries. The ability and power of the Committees to invite people to give evidence, and to issue a summons for them to appear to give evidence where necessary, is vital to the work of the Select Committees of this House.

Having checked with the Clerks of my Committee and with the House of Commons Library, I believe that this is the first time since 1920 that a motion of this kind has been put before the House. It has not been done lightly; in some ways, it is done with regret, because I wish we had not come to this point and that we could have reached a successful conclusion to the invitation we issued to Dominic Cummings before now.

It might be helpful to the House if I explain why we are in this position. In March, the Digital, Culture, Media and Sport Committee issued an initial invitation to Dominic Cummings to give evidence to us as part of our investigation into disinformation and fake news. I should say that we are not conducting an inquiry into the referendum. We are not seeking to invite people who worked on campaigns for the Brexit referendum to give evidence, or to scrutinise the details of those campaigns. We are conducting an inquiry, and an important part of it has been the use of data in the course of campaigning. During our investigations, other witnesses have come forward and made allegations about the work of Vote Leave; as Dominic Cummings was its communications director, he is the person most fit to speak about that. In many ways, what we are seeking to do is to extend a privilege that many Committees do extend to witnesses; when allegations are made about them or their organisation, they are given the ability to come before the Committee to refute those allegations and present alternative evidence. That is the opportunity we wish to give to Dominic Cummings, but we also believe it is the right of the Committee to have the opportunity to question him, based on evidence that we have already received.

We were unable to reach a satisfactory conclusion from the invitations we issued to Mr Cummings. As a result, we proceeded to issue a formal summons, which..."
was passed by the Committee. Mr Cummings not only refused to accept that summons and to appear on the named day cited in it, but refused to consider alternative dates on which he might appear and to which the Committee might have agreed. He also made it clear in public remarks that he had no intention of ever coming to give evidence to this Committee and that he resented the way in which he had been treated. That left the Committee with no alternative but to seek to report this matter to the House, and to seek the support of the whole House of Commons—not just the Committee—for a motion ordering Mr Cummings to appear before us.

We felt that Mr Cummings had taken the view that appearing before a House of Commons Select Committee is not a matter for that Committee, but entirely at the discretion of the proposed witness, with it being up to him to set the time and date, even though that might be months after our inquiry has finished. Not only does that restrict our right and ability to question witnesses who have important information linked to our inquiries, but it fails to give us the opportunity to question people based on evidence that has been received and tabled against them.

Is our relationship with Mr Cummings uniquely bad? Have we treated him unkindly, whereas other Committees of the House may have treated him more favourably? He has even suggested he would be willing to come—at his discretion, and at some future point—to give evidence to another Committee.

Interestingly, Mr Cummings has given evidence to House of Commons Select Committees before. He gave evidence to the Treasury Committee in the last Parliament, and it is relevant to look at its report following the evidence he gave. That Committee took evidence from a number of parties and campaigns involved in the Brexit referendum, to analyse the arguments they were making. In chapter 7 of that Committee’s report, at paragraph 236, the Committee sets out the similar frustrations it had, even though Mr Cummings had agreed to be a witness. It stated:

“In their treatment of this Committee, neither Mr Elliott”—also from Vote Leave— “nor Mr Cummings, as individuals, have fulfilled Vote Leave’s commitment, made in their successful application to the Electoral Commission, to ‘create a valuable legacy for the UK’s democratic process’. Their conduct has been appalling. Mr Elliott’s and Mr Cummings’s expressed view that powers should be restored to Parliament sits ill with that conduct.”

The report goes on to state:

“It was the Committee’s preference to hear from both Vote Leave and Leave.eu in one sitting. In the end, it took three. If Mr Elliott and Mr Cummings consider that the Committee’s evidence-taking process has been protracted, uncomfortable or harmful to their account, they have only themselves to blame.

“The Committee notes that Mr Banks and Mr Tice”, of Leave.eu, “did not seek to attach conditions to their attendance.”

That is very similar to the experience we have had.

As a consequence of evidence we have received, we have also asked other people to give evidence to the Committee. We have asked Mr Banks and Mr Wigmore from Leave.eu to give evidence, and they have agreed to do so next week. We asked AggregateIQ, the tech company from Canada that Leave.eu used to work on its campaign, to give evidence and it has done so, even though the person giving evidence was a Canadian national who is based in Canada, and so was outside the jurisdiction of this Parliament and had no obligation to attend. Nevertheless, that person crossed an ocean to do so. Yesterday, the Committee took evidence from Alexander Nix of Cambridge Analytica, who was returning to give evidence to the Committee about links and relevant issues.

It therefore seems that we have a unique problem in requiring Dominic Cummings to come to give evidence to us. I do not believe, and neither do the members of my Committee, that that is an acceptable state of affairs. These are incredibly serious matters. There is a certain irony when someone who was the communications director of Vote Leave and ran a successful campaign to seek to restore powers to Parliament seemingly holds that institution in such contempt.

David Linden (Glasgow East) (SNP): Perhaps the hon. Gentleman should have issued his notice to Mr Cummings on the side of a bus, because he might then have seen it and come to Parliament.

Damian Collins: I will not go down that road or follow that bus. As I say, this is not necessarily directly about that campaign, but there is a certain irony when someone who campaigned to restore powers to Parliament is not willing to come to Parliament to give evidence before one of its Committees. This is someone who, in his campaign, was so critical—many would say rightly so—of European civil servants and bureaucrats exercising power remotely, unelected and unaccountable to any institutions. He held a very important position in this country during a very important campaign. We believe that we have important questions to put to him, but he declines to appear. He did suggest in his initial communications, after we invited him in March, that he might appear at some point later in July. He has subsequently said in his public statements that he will not appear until other investigations—those being conducted by the Electoral Commission and the Information Commissioner, in particular—have concluded.

There are rules that prevent Committees from calling witnesses, but those are normally restricted to matters before the courts. This matter is not sub judice. Mr Cummings has not been charged with any offence and he is not in proceedings before the courts. We sought guidance from the Electoral Commission and the Information Commissioner, given their ongoing inquiries, to ask whether our calling him to give evidence would in any way undermine the work of those investigations. They have said that it would not, and that they would welcome it if Mr Cummings gave evidence to the Select Committee, so there is no founded excuse there. Whatever he says, his decision not to come before us is one of his own making. It is a deliberate attempt to deny Parliament its right to question witnesses on matters of importance. That is why we have brought the motion before the House—to stand up for an important point of principle; and to support the work of the Select Committees and their inquiries across Parliament. We are seeking to maintain the right that we should have to call witnesses when we believe it is important to our work and in the public interest for them to give evidence before us.

1.7 pm

Hilary Benn (Leeds Central) (Lab): I support the motion. I do not want to debate the issues that give rise to the Select Committee’s requests for Mr Cummings to
appears, because, as the whole House would probably agree, those are properly matters for the Committee, and I trust its Chair and members to do their job with their usual diligence and care. The reason why I wish to contribute briefly relates to the question of the power of Select Committees to ensure that witnesses do turn up, which is the point of principle that is, quite properly, now going to be referred to the Committee of Privileges. Mr Cummings is clearly refusing to do so, although he has appeared previously before Committees. I agreed absolutely with the Chair of the Committee, the hon. Member for Folkestone and Hythe (Damian Collins), when he said a moment ago that Mr Cummings was showing contempt for the House. Indeed, the phrase in Mr Cummings's letter of 11 May was:

“As you know you have no powers to compel my attendance and your threats are empty.”

In the email exchange cited at the very end of the report, he said:

“I’m calling your bluff. Your threats are...empty...Say what you like, I will not come to your committee regardless of how many letters you send or whether you send characters in fancy dress to hand me papers.”

There is a very important point of principle at stake here, which the House has debated in the past and will need to debate again: what do we do when witnesses refuse to appear? This issue has been looked at in several reports. My hon. Friend the Member for Rhondda (Chris Bryant), who I think will also try to catch your eye, Madam Deputy Speaker, is a great expert on these matters. There have been two substantive reports—in 1999 and 2013—on whether we should legislate. At the time of the Murdoch situation, there was a lot of discussion about what happened in the past and powers that had fallen into abeyance. There are two views. The first says that, in the end, almost everybody who initially refuses to appear then turns up. The Messrs Murdoch situation is a good example of that. I think the Assistant Serjeant at Arms was dressed for the occasion and a journey was made to Wapping with a notice to require attendance. It is true for many people—the argument is forcefully made—that the threat to their reputation if they do not appear is, in the end, what obliges them to turn up.

The second argument against legislating to give us some power is the fear that the courts will interfere in the functioning of Parliament. I understand that argument, but I must say that I come down on the other side. If we end up in a situation in which one witness gets away with not appearing, it might catch on with others. Think of the really important role that Parliament has played recently by calling in the chairs and chief executives—they may regard themselves as private individuals—of major companies that have done things that have impacted hugely on our citizens’ lives. If it comes to pass that people think, “I don’t have to turn up,” how can Select Committees and Parliament continue to do our job of holding the powerful to account? In the main, there are two types of Select Committee witness: the powerful who are being held to account; and others who have information and expertise that can inform the work that we undertake. In supporting the motion and asking that the Privileges Committee should look into this matter, I do not think we can accept a situation in which people think they do not have to turn up.

I am advised that Australia and New Zealand have offences of failing to appear before Parliament—people can be fined and imprisoned if they do not turn up as a witness. By the way, the witnesses do not have to answer questions, although it would be quite an appearance to sit there and say, “I decline to answer that question”—it would be the equivalent of taking the fifth amendment in front of a congressional committee in the United States of America. I do not want to be in a position where the courts start to question the reason why a witness has been called or what questions might be asked of them. I would have thought it would be perfectly possible to draft legislation that said, “If a Select Committee has issued an requirement for a witness to appear and the witness does not turn up, without reasonable excuse, it is for the courts”—not Parliament; I am not in favour of being able to fine people by a decision in this Chamber or of the Privileges Committee, or to clap recalcitrants in irons—“to apply an appropriate penalty to the individual who failed to turn up.” In such circumstances, I do not see how the courts could say, “We want to go over the reasons why the Select Committee wanted to call this witness,” because although I am not a lawyer, I suppose it would be a strict liability offence, because if a summons has been issued by the House of Commons, someone either appears or they do not.

This is an important point of principle. This unfortunate case, and the response of Mr Cummings, reminds us of the need to ensure that we end up with a system that does not allow the powerful and those who need to answer questions and to be held to account for what they have done—in the normal, courteous manner under which almost all Select Committees operate—not to appear. We cannot allow that to happen because, if we do, we cannot do our job on behalf of the people who send us here. The Liaison Committee debated this issue recently. As I understand it, we have sent to the Privileges Committee the view that there are two sides to the argument and it really needs to be looked into, but I wanted to take this opportunity to say where I stand. We have to ensure that when we call people, they turn up.

1.13 pm

The Leader of the House of Commons (Andrea Leadsom): The Select Committees of this House do vital work on behalf of the people of the United Kingdom, and the Government are strong supporters of the independence of the Select Committee system. I thank my hon. Friend the Member for Folkestone and Hythe (Damian Collins) and the other members of the Digital, Culture, Media and Sport Committee for all their work on behalf of Parliament.

Today’s debate is not about the substantive issues under investigation by the Select Committee; it is about Select Committees’ right to undertake the duties assigned to them by the House. The Government have full respect for the privileges of the House of Commons and we will continue to uphold them. They are crucial to Parliament’s independence and the strength of our democracy. I therefore support the motion.

1.14 pm

Pete Wishart (Perth and North Perthshire) (SNP): As a fellow Select Committee Chair, I wholeheartedly support the hon. Member for Folkestone and Hythe (Damian Collins). I hope that the motion is passed and that he
gets the witness he requires. It is unfortunate that it has
go to the stage where he has had to come to the House
to move such a motion. It is important that we all
support him in these endeavours.

It is imperative that Select Committees secure the
witnesses that they feel they require to make progress in
their inquiries. We think long and hard about who we
consider bringing before the Scottish Affairs Committee.
The process involves the Clerks and fellow Committee
members, and we look to see who could supply us with
the best possible information, which will then shape and
inform our inquiries. It is important that we get the
people we need.

I totally support the remarks made by the right hon.
Member for Leeds Central (Hilary Benn): we have to
get an absolute, determined process for what we do
about reluctant witnesses. He and I serve on the Liaison
Committee, which is currently considering this issue,
and I hope that the Chair of that Committee, the
hon. Member for Totnes (Dr Wollaston), will say a few
words about it so that we know exactly where we are
with getting clarity as to what we do with reluctant
witnesses. We cannot have a situation in which we in
this House require people to help us with our reports
and inquiries and they simply refuse to do it. Some of
the extraordinary language that Mr Cummings has
used to evade that responsibility is quite bizarre and
shows nothing other than contempt for the hon. Member
for Folkestone and Hythe’s Committee and for this
House.

We have been here before: the issue of the Murdochs
has been raised, and the Scottish Affairs Committee has
difficulty in securing witnesses, although in the end
we have managed to ensure that they came before the
Committee. I must say, though, that the situation is not
helped by Ministers also refusing to appear before
Select Committees. I just made a Select Committee
statement on bank closures, to which you listened patiently,
Madam Deputy Speaker. I could not get a Treasury
Minister to come to my Committee to answer questions
about bank closures in Scotland. I am sure that people
like Mr Cummings, and others who are reluctant to
come before Select Committees, observe that and think,
“Well, if Government Ministers will not come in front
of Select Committees of the House, why should I?” We
have to make sure that if Ministers are asked to come
before Select Committees, they come. It is not good
enough for them to say that it is not their responsibility
or that they answer to another Select Committee.

Dr Julian Lewis (New Forest East) (Con): I endorse
what the hon. Gentleman has just said. The same
applies to senior officials. The Defence Committee very
nearly got to the point of issuing a summons, but
common sense broke through. The Government, whether
Ministers or senior officials, are required to set a good
example.

Pete Wishart: Absolutely. I thank the right hon.
Gentleman for his comments; I know that he has had
difficulties with securing the appearance of members of
the Government. Whether they are civil servants or
senior officials, they have to come before a Committee. I
hope that that is something that we can take away from
this because I am sure that all these reluctant witnesses
the length and breadth of the country are observing
what happens today.

The only route available to us is to do exactly as the
hon. Member for Folkestone and Hythe did, which was
to get a motion to summon Mr Cummings to come to his
Committee. The process is then to go to the Privileges
Committee to get a ruling in respect of privilege in this
House. We have to look into this matter and make sure
that we can amend our practices and procedures to
allow us certainty when we deal with reluctant witnesses.
I hope that the hon. Gentleman gets his witness, and I
am pretty certain that he will, after today’s debate—
I am sure Mr Cummings is observing what is happening
and realising that time is up and he should just agree.
Let us put in place a proper process for ensuring that we
get the people we need to appear before our Select
Committees.

1.18 pm

Dr Sarah Wollaston (Totnes) (Con): I put on record
my thanks to all those who appear as witnesses before
our Select Committees. Many of them do so knowing
that they will face a considerable level of challenge, but
they come prepared to put their case, on the public
record. They do so because they know that to refuse to
appear shows contempt not only for this House but,
more importantly, for the public, because Select Committees
carry out their work on the public’s behalf, and in
almost every case the House delegates to us the ability
to call for persons, papers and records. That is an
extraordinarily important role that we have on behalf
of the public.

I join my hon. Friend in condemning the action of
Dominic Cummings and the way that he has behaved. It
is a disgrace, frankly, and we should call it out. I also
think that we need to reflect on what we now do when
individuals refuse to appear. I agree with the right hon.
Member for Leeds Central (Hilary Benn) that it is time
now to take action. I speak in a personal capacity,
because there is a difference of opinion over the pros
and cons of taking this matter forward. I welcome the
further inquiry of the Privileges Committee. There is a
difference of opinion on the pitfalls of involving the
courts, but, ultimately, the experience of other jurisdictions
such as New Zealand and Australia, which have that
final backstop, is that they have not had to use it. There
is a case for saying that, where we do not have a final
backstop, we will increasingly see examples of witnesses
like Mr Cummings refusing to answer to the British
people and to Parliament.

Geraint Davies (Swansea West) (Lab/Co-op): Does
the hon. Lady also agree that if witnesses feel that they
are not obliged or compelled to appear before a Select
Committee, they could be bribed or intimidated into
not attending? Someone might have an interest in a
witnesses not attending, and bribe them or intimidate
them.

Dr Wollaston: There is a danger that people will
increasingly come under pressure to make the judgment
that, by not appearing at all, the reputational damage
will be less, so the hon. Gentleman makes a very important
point. However, we have now come to a point where
having the final backstop of a penalty—

Dr Julian Lewis: May I just say to my hon. Friend in
her role as Chairman of the Liaison Committee that she
was enormously helpful to the Defence Committee—as
were other members of the Committee—in getting the
senior official to agree to come, and in getting the Prime Minister to agree to his attending the Defence Committee? In the end, it was a very valuable session. I do not know Mr Cummings, but I support his cause, and he is in danger of doing grave damage to the cause that he and I both support because the effect of his refusal is far more damaging than anything that could happen at a hearing if he actually gave evidence. Finally, may I appeal to her to stop using the word “backstop”, which, at the moment, is not my favourite expression?

**Dr Wollaston:** I thank my right hon. Friend for that point. Yes, the point has been made before that someone may want to call for powers to be restored to Parliament, but actually not when it comes to themselves.

**Dame Cheryl Gillan** (Chesham and Amersham) (Con): I am most grateful to my hon. Friend for giving way. I was pleased to see this motion on the Order Paper today. I serve on the Public Administration and Constitutional Affairs Committee and we have often had to call witnesses before us who were perhaps not quite as enthusiastic about attending as they should have been. Does she agree that there is some deficiency in this, because the motion on the Order Paper merely asks Mr Cummings to appear before the Committee at a time and place? It does not ask him to appear and answer questions. Would it not have been better to make that specific, because, in theory, it is possible for Mr Cummings to appear but then not to answer any of the questions of the Committee?

**Dr Wollaston:** I thank my right hon. Friend for her point. Even in other jurisdictions where people can be compelled to appear, they are not compelled necessarily to answer a question. For Mr Cummings to have behaved in the way that he has is a grave contempt not only of this House but, more importantly, of the British people.

**Damian Collins** (Rhondda) (Lab): I congratulate the hon. Member for Folkestone and Hythe (Damian Collins) on bringing forward this motion; he was absolutely right to do so. There are whole series of ironies here. The man who derided unelected bureaucrats in Brussels now, as an unelected bureaucrat, refuses public scrutiny by elected MPs. The man who coined the phrase “Take back control” now defies Parliament when it tries to take back control. And the man who demanded that Britain assert her independent sovereignty denies the sovereignty of Parliament. However, I question in my mind whether that is iron-y or, frankly, hypocrisy. To be honest, I come to the conclusion that it is hypocrisy. I wondered whether this is some high-minded act of principle, but I think it is not; it is sheer cowardice.

The point has been made that Rupert Murdoch chose in the end to attend the Culture, Media and Sport Committee because he felt that his reputation might be harmed otherwise. Perhaps Mr Cummings thinks that his reputation is now so poor that it could not possibly be harmed any more. In the end, the debate today is not particularly important because of Mr Cummings and his refusal to attend the hearing—it is pretty clear from everything that he has said in his letters, emails and public announcements that he holds Parliament in complete and utter disdain. In the past, we would have been very robust, and more quickly so, than we are being today. The real issue, as my right hon. Friend the Member for Leeds Central (Hilary Benn) made absolutely clear, is that this poses the question of what we do if, in the end, somebody point blank refuses to attend a hearing.

The idea of sending the Serjeant at Arms is nice and quaint. Yes, undoubtedly he can deliver a letter, but I do not think that he has subpoena powers any more. It is also slightly strange for a political body to arrest somebody, which is, in effect, what we have to be able to do. The idea of politicians deciding on a political motion whether somebody should be arrested is, I am glad to say, anathema under habeas corpus. We simply do not believe in that way of pursuing justice any more.

In the end, we will have to legislate. We will have to make sure that there are proper bodies that operate in full recognition of human rights legislation in this country and in the European convention of human rights and provide due process so that someone cannot claim that they are being arrested on the political whim of politicians.

As my right hon. Friend has already said, two Committees—a Joint Committee and a Committee of this House—have looked at this issue over the past 20 years. They came to different conclusions. They held those conclusions very firmly, and Governments of different colours chose to do absolutely nothing about it. Indeed, the coalition Government produced a White Paper on the matter and said that they were going to legislate, but nothing has happened.

I am really delighted that the Leader of the House is here today because, in the end, she knows, as must everybody else, what will happen if one person decides not to attend and gets away with it. By getting away with it, I mean that either we choose to do absolutely nothing because the Privileges Committee decides that there is nothing that we can do, or we decide that we will just issue a statement saying, “You’re a very naughty boy.” Either of those is, to my mind, impunity. If that happens, every lawyer in the land for a big captain of industry will say, “There is no requirement for you to attend.” The whole thing will be blown to pieces and we will have lost an enormously important part of the way we do our job.
It was Norman St John-Stevas who set up the modern Select Committee system, our pride and joy. Some have argued in recent days that Select Committees should have the power to summon Members of this House, Ministers and Members of the Lords—oddly enough, that is the one thing that they do not have the power to do—but that they should not have the power to summon private individuals. However, in the modern era, Parliament is there to redress the grievances of our constituents, of the whole of the country. Often those grievances are not particularly against the powerful in Government, but against the powerful in every other aspect of our modern life—whether it is those running our broadcasting companies, our newspapers, our big businesses, our greengrocers, our banks, or whatever it may be. We would be losing a phenomenally important tool in holding to account the great and the good, and the powerful in this land if we were to surrender this by default.

I do not mind how we legislate—whether we go with the conclusions of the Joint Committee or the Digital, Culture, Media and Sport Committee—but I am absolutely certain that we will end up having to change the way in which we do our business. The hon. Member for Perth and North Perthshire (Pete Wishart), who speaks for the Scottish National party on his 17th anniversary of being an MP, said that we will have to do something. I very much hope that the Leader of the House will take that away. We cannot allow impunity any longer.

Question put and agreed to.
was expected in that age, which was not so long ago. Millions of others down the ages have suffered from TB—notably, Nelson Mandela, who suffered greatly from it.

With better housing, better nutrition, the discovery of penicillin by Fleming in 1928, and the mass production of antibiotics in the 1940s, it was thought that tuberculosis would be beaten. In 1962, a Nobel laureate virologist said:

“To write about infectious disease is almost to write of something that has passed into history.”

But TB was not eradicated or eliminated at all. It resurfaced on the back of the AIDS epidemic. TB is a bug carried by a third of the world’s population that can exist in our bodies latently, but strikes when immune systems are compromised.

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): I congratulate the right hon. Gentleman on securing this debate. I chair the all-party parliamentary group on HIV and AIDS, and I know that we very much share his concerns about TB and are pleased to work with his all-party parliamentary group on global tuberculosis. Today, we met the chief executive of the Global Fund to Fight AIDS, Tuberculosis and Malaria. Does the right hon. Gentleman agree that that organisation is doing excellent work, not least on co-morbidity, as people live with HIV/AIDS and TB? People living with HIV are 30 times more likely to develop active TB, and TB is the leading killer of people with AIDS.

Nick Herbert: I strongly agree with the hon. Gentleman that the diseases must be treated together. However, great progress has been made on tackling AIDS, partly because of the tremendous new tools available. By comparison, less progress has been made on tuberculosis. Last year, 1.7 million people died of tuberculosis. That is more than AIDS and malaria combined. The single fact that most people do not realise is that tuberculosis is now the world’s deadliest infectious disease, and it deserves more attention than it gets. Some 10 million people globally are falling ill each year as a result of this disease.

TB was declared a global health emergency by the World Health Organisation 24 years ago. Since then, 54 million people have died. That is not a great advert for the declaration of a global health emergency. Three years ago in New York, the world’s leaders set the sustainable development goals. Target 3.3 was to eliminate these major epidemics in 15 years. At the current trajectory, TB will not be eliminated for 160 years, so another 28 million people will die in the sustainable development goal period alone, costing the world economy $1 trillion cumulatively. Middle and lower-income countries will be the most severely hit, with lower-income countries experiencing a reduction of something like 2% of their GDP.

On top of this, there are new threats. I mentioned that TB strikes when immune systems are compromised, and they can be compromised in new ways, including by the acquisition of diabetes. In Indonesia, TB is striking people with diabetes, which is a growing problem.

Above all—this should concern the House greatly—is the growing risk of drug resistance. TB is the only major drug resistant infection that is transmitted through the air. It is already responsible for one in three deaths worldwide from all forms of drug resistance. Drug resistance generally now kills 700,000 people a year, but Lord O’Neill’s commission, set up by David Cameron, predicted that drug resistance would kill 10 million people a year by 2050, and that those deaths would fall in the west and advanced economies, not just in poor and middle-income ones. That compares with, for instance, 8 million deaths a year from cancer. We are talking about catastrophic loss and catastrophic economic cost, with a cumulative GDP loss of $100 trillion, knocking 2% to 3.5% off global GDP. It is significant that a quarter of those deaths from antimicrobial resistance would be due to tuberculosis, which is already responsible for a third of antimicrobial resistance deaths; that is 200,000 deaths a year.

Dr David Drew (Stroud) (Lab/Co-op): The right hon. Gentleman is making an excellent speech. Will he also accept the connection between TB and conflict? In the parts of the world where TB is rife—including South Sudan, which I know very well—conflict is adding to the complexity for people suffering from disease.

Nick Herbert: That is a very interesting point. TB is a disease of poverty. This opportunistic infection will strike if there are no basic health systems and if nutrition and housing are poor, and all those conditions would probably exist in areas of conflict.

Drug-resistant TB is a terrible affliction. It can be dealt with, but even in an advanced healthcare system, it requires a course of treatment in which some 14,000 pills have to be taken. This treatment is appalling, as it can cause patients to become deaf and creates a lot of suffering. Only half of drug-resistant TB patients are successfully treated. In fact, there is a lower survival rate for drug-resistant TB than for lung cancer.

Jim Shannon (Strangford) (DUP): Just to step back, the right hon. Gentleman mentioned diabetes. In this country, we can change our lifestyles as we have access to lots of food and other things to reduce diabetes, but people in third-world countries where TB and diabetes are rampant do not have the same choice. Does the right hon. Gentleman agree that this complicates issues?

Nick Herbert: I do agree. There is a growing list of reasons why we should act, and that is one of them.

Stephen Timms (East Ham) (Lab): The right hon. Gentleman is making a very powerful speech. He is right to draw attention to the scale of the problem in the developed world as well as the developing world. In my constituency, the incidence is now about the same as in Sudan, at just over 80 per 100,000. Does he agree that it is important that people realise that, notwithstanding drug resistance, this is a treatable and curable condition and that people need to get help when they are suffering from it?

Nick Herbert: Again, I do agree. The scale of TB in London makes it one of the TB capitals of Europe. We have some 5,000 cases of TB in the UK. That figure is coming down with the new public health strategy, but it is still too high. The right hon. Gentleman is right. This
The overseas aid budget struggles to find the best possible way to act—will it be a humanitarian reason because of the disease we are facing or will it be more pragmatic? We sometimes hear that failure to act is a humanitarian reason because of the suffering that could happen. Therefore, we do need that partnership funding to make sure that we look at NHS public health and social care as part of a single system.

Most people do not realise that there is no vaccine for tuberculosis. There is a child vaccine, BCG, that some of us had when we were young, but there is no adult vaccine that works for tuberculosis—and no epidemic in human history has been beaten without a vaccine. The reason there is no vaccine is that there is market failure. Unlike HIV/AIDS, this is primarily a disease of the poor. With HIV/AIDS, there were people dying in western countries as well. The pharmaceutical companies do not have a commercial incentive to invest in the new tools that we need—better drugs, better diagnostics and a vaccine. Without partnership funding that comes from the Government, and Governments around the world who can afford it, we will not develop these new tools and we will not beat TB in the requisite timeframe.

Jeremy Lefroy (Stafford) (Con): I thank my right hon. Friend for his very powerful speech. Further to his points about the importance of public health, would he urge the Government, in their future strategy, to make sure that we look at NHS public health and social care as part of a single system?

Nick Herbert: Yes. My hon. Friend is probably aware that there is a collaborative TB strategy that was introduced by the Government, urged by the all-party parliamentary group on global TB, which the hon. Member for Ealing, Southall and I co-chair. That strategy shows very promising signs. It represents exactly the kind of partnership that we need between Public Health England and NHS England. I commend the Government for having introduced that partnership.

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Jeremy Lefroy (Stafford) (Con): I thank my right hon. Friend for all the work he does on TB. As chair of the all-party parliamentary group on malaria and neglected tropical diseases, I would like to point out that there is a malaria vaccine, which is being deployed for the first time. We are not sure how effective it is. It is clearly quite effective, but a lot more work needs to be done on it. Companies such as GSK, which is behind this vaccine, are prepared to invest in these things even though they have no commercial return from them. Let us hope that a similar approach will be taken by commercial companies and Governments in respect of TB.

Nick Herbert: I agree that some companies are willing to take a non-commercial view, such as Johnson & Johnson and Osaka Pharmaceuticals, but many other major pharmaceutical companies are not developing new TB tools because there is no commercial incentive. Therefore, we do need that partnership funding to make this happen.

I would argue that there are three powerful reasons for us to act: a humanitarian reason because of the number of deaths, an economic reason because of the cost to the global economy of not doing so, and a global health security reason because of the risk of drug resistance.

Dr Julian Lewis (New Forest East) (Con): May I make a practical suggestion? We sometimes hear that the overseas aid budget struggles to find the best possible causes in which to invest our 0.7% of GNI. Could the rules possibly allow for an investment from that funding in the sort of research that is necessary to find a cure for TB?

Nick Herbert: My understanding is that they already do. That is a good example of how we already—although we need to do more—deploy the resources that are available to us. Indeed, the commitment that we make as the second biggest donor to the Global Fund to Fight AIDS, Tuberculosis and Malaria—£1.2 billion in the last replenishment—has been made possible because of the increase in aid spending and the target that has been set.

At last, this disease is commanding greater political attention. It has got on to the G7 and G20 agenda, partly because of the lobbying that is being done by the Global TB Caucus, which I co-chair with South Africa’s Health Minister, and now numbers 2,500 parliamentarians in 130 countries. In November, there was a WHO ministerial summit in Moscow. In February, Prime Minister Modi of India announced a TB strategy.

Above all, there is a reason to be optimistic because, at the United Nations on 26 September, there will be, for the first time ever, a high-level meeting on tuberculosis that it is intended that Heads of Government and Heads of State will attend, where a new declaration will be launched, with a commitment by the world’s leaders to act. That has to address the current funding gap whereby we are $6 billion a year short of the funding needed properly to eliminate TB by the SDG deadline in 15 years’ time. It also has to introduce greater accountability so that Governments are locked into proper targets to ensure that they really do reduce TB. In addition, there needs to be a dramatic increase in research and development to develop the new tools that I mentioned. All this requires leadership.

Dame Cheryl Gillan (Chesham and Amersham) (Con): I am hoping to speak later in the debate, but my right hon. Friend is already making a powerful case. Has he had any indication from the Prime Minister on whether she intends to attend that high-level meeting, because it would seem to be of great significance that she does?

Nick Herbert: My right hon. Friend asks a very pertinent question. Last month, 100 Members of this House and the other place wrote to the Prime Minister to ask if she would attend the meeting. The motion before the House specifically requests that the Prime Minister attend, as the UN General Assembly has asked. So far—understandably, I believe—the Prime Minister is not committing to attend.

In the time remaining to me, I would like to make the case for the Prime Minister to attend this meeting. It would be completely consistent with UK Government policy. We have made that major investment in the global fund. We are world leaders in international development. We set the agenda on antimicrobial resistance. We have a leadership position, and we should take it on this issue. TB is now the world’s deadliest infectious disease. This needs the support and attention of the world’s leaders. The UK is in a very powerful position to show that leadership and to give that support. Indeed, it is very difficult to see what would be the downside of the Prime Minister attending. I believe it would be all
upside, and it would send a very powerful message to other world leaders. It is completely consistent with the ambition for a global Britain. Indeed, it is worth noting that TB is an issue in 19 Commonwealth countries, and 17 of the Department for International Development’s priority countries are high-burden.

This is a once-in-a-generation opportunity. The high-level meeting is the chance, at last, for this disease to get the attention that it needs. It is an easily and cheaply curable disease. Frankly, it is a global scandal that so many people are losing their lives completely unnecessarily when since the 1940s they need not have done so. We can act and we should act. The UK can play a major role in this respect. Speaking at the UN on Monday, I was asked what was the single message that I would want to send to the world’s leaders about whether or not they should attend. I simply said this: if 1.7 million deaths a year is not enough to encourage the world’s leaders to attend, what is?

1.48 pm

Mrs Louise Ellman (Liverpool, Riverside) (Lab/Co-op): I congratulate the right hon. Member for Arundel and South Downs (Nick Herbert) on securing this very important debate and on his very powerful speech.

Tuberculosis remains the world’s deadliest infectious disease. It was responsible for the deaths of 1.7 million people in 2017. TB was declared a global emergency in 1993, and the sustainable development goals envisioned ending it by 2030. At the current rate of progress, this target will not be reached for 160 years.

I have the privilege of representing a Liverpool constituency where work of world-class excellence in combating this scourge is based. Liverpool University’s Institute of Infection and Global Health, led by Professor Tom Solomon, and the Liverpool School of Tropical Medicine are international leaders. They undertake world-renowned collaborative research in this area. It is because of Liverpool’s outstanding work that it was chosen as host of the 47th Union World Conference on Lung Health in October 2016. I was pleased to be able to participate in that in a small way.

The work in Liverpool to combat this disease is wide-ranging. Scientists at the Institute of Infection and Global Health are leading a €25 million European public-private partnership aiming to accelerate the development of new combinations of drugs to fight TB, both in the UK and abroad. They are also looking at how poverty is contributing to the challenge of tuberculosis. Poor people are more likely develop the disease and, indeed, to die from it.

The Liverpool School of Tropical Medicine undertakes significant research into complex poverty-driven global diseases, including TB. The International Multidisciplinary Programme to Address Lung Health and TB in Africa—IMPALA—is led by Professor Bertie Squire, Dr Angela Obasi and Dr Kevin Mortimer. It is a £7 million project funded by the National Institute for Health Research to create an Africa-focused NIHR global health research unit for lung health and TB. It works across 11 African countries, and its work includes strengthening research infrastructure in African institutions.

Dr Gerry Davies is leading the major £25 million European public-private partnership aimed at accelerating the development of new combinations of drugs to fight TB. He is also part of a WHO taskforce on treating TB. STREAM is an international project to investigate treatment of anti-TB drugs for patients with multi-drug-resistant TB, which is a major issue in combating the disease. The Liverpool School of Tropical Medicine is one of the international collaborators on that vital project.

The relationship between poverty and the growth and spread of TB has been mentioned, and significant parts of the pioneering work taking place in Liverpool focus on that relationship. Dr Tom Wingfield is leading much of that research, including studies currently taking place in Peru. He is part of the WHO’s taskforce on the catastrophic effects of TB, and he is also responsible for cross-campus collaboration between Liverpool University and the Liverpool School of Tropical Medicine. Some of the key work involves training conducted by the Liverpool School of Tropical Medicine that focuses on TB microbiology, epidemiology, care and prevention, and it attracts international students.

Those are just a few examples of the inspirational work based in Liverpool. It reflects dedicated people with high levels of expertise and institutions that enable this important work to progress internationally in a collaborative way. It is about combating a disease that takes millions of lives a year.

I agree that much more international support is required, and I fully endorse the call from the right hon. Member for Arundel and South Downs for the Prime Minister and others of a high status to attend the important impending conference. That is vital to show the importance attached to combating this dreadful disease. International support and more funding are required, but I ask the House to take note of the groundbreaking collaborative work currently taking place in Liverpool. Liverpool should be proud.

1.53 pm

Dame Cheryl Gillan (Chesham and Amersham) (Con): May I start by congratulating my right hon. Friend the Member for Arundel and South Downs (Nick Herbert) on not only his excellent speech but the way in which he has pursued this matter relentlessly across an international audience? He is renowned on an international basis, as I know myself.

I am proud to represent the UK at the Parliamentary Assembly of the Council of Europe with many other colleagues from both sides of the House. The Council of Europe represents 47 countries and is an institution that is far older than—and, I think, vastly superior to—the European Union. It takes up some very important matters. I am pleased to report that on 27 April, in our main plenary session, we were privileged to hear from a very competent and capable Ukrainian Member of Parliament, Serhii Kiral, who was appointed the rapporteur for the “Drug-resistant tuberculosis in Europe” report, contained in document 14525 of the Parliamentary Assembly of the Council of Europe. He presented his report, which was passed unanimously in the plenary session.

Mr Kiral has done much investigation into this area, and he started his speech by saying:

“My report is about fighting tuberculosis, but tuberculosis is like corruption—you do not see it, but it is there. It is equally dangerous, but it is also curable.”
Although many of us thought that TB was a disease of the past, he informed us that during the course of his investigations a professor from the University of Oslo told delegates from the Council of Europe on a fact-finding mission that more than 900 new cases are registered every day. Europe accounts for one in five multi-drug-resistant TB cases in the world, and nine out of 30 countries that the World Health Organisation has identified as needing to solve their TB problems are in Europe. It is of particular concern that 45% of cases affect young individuals aged between 25 and 44.

Owing to the time limit, I will concentrate not on the broader facts but on two specific areas: the importance of disease surveillance and diagnostic gaps. On World TB Day this year, 24 March, the European Centre for Disease Prevention and Control released an alarming set of statistics, including the fact that the number of cases of extensively drug-resistant TB has increased fourteenfold in the last four years, with almost 5,000 cases reported in 2016, the majority being in eastern Europe. Those statistics are startling and demonstrate the vital importance of TB surveillance systems.

Epidemiological surveillance is a vital global public health investment, since it allows experts to monitor the trajectory of the epidemic and, particularly in the case of the emergence and spread of drug resistance, allows us to identify where we are failing and how we need to address it. Mariève van der Werf, who is the head of tuberculosis at the ECDC, has confirmed that the threat to Europe is caused by the mobility of people who bring drug resistance with them. Countries really need to be vigilant about that. The data released by the ECDC is available because of investments in laboratory and surveillance infrastructures. Routine surveillance of drug-resistant TB, where every case identified is reported, is now available in 90 countries worldwide, with the majority being in Europe and North America.

At the global level, progress is being made. Since 2015, 22 high-burden countries have begun the process of conducting national drug resistance surveys, six of them for the first time ever. In 2016, we saw the discovery of an additional 600,000 cases of TB as a result of those surveys. It is clear that the data garnered from those surveys will be vital in shaping the global response, but gaps remain to be filled.

The need for urgent action is self-evident on the basis of current data alone, but to ensure that our efforts are as appropriately targeted as possible, we had better get on with it. Will the Minister work with colleagues across Government, as well as bilateral and multilateral partners, to improve TB surveillance globally, particularly for drug-resistant forms of TB, including through future programmes of the Fleming fund?

Ultimately, all efforts rely on the availability of accurate diagnostic tests. Currently, that is far from guaranteed, to the detriment of both epidemic preparedness and the individual patient. In 2016, some 3.8 million cases of TB were never formally reported, going completely undiagnosed or at risk of being treated inappropriately. In the same year, just 57% of reported cases were bacteriologically confirmed, and of those, just 39% were tested for resistance against first-line drugs.

In the past 10 years, immense progress has been made in the diagnosis of TB, with new diagnostic tests that allow for accurate diagnosis and the detection of first-line drug resistance in under two hours having the potential to transform our fight against TB. Despite those advancements, however, the vast majority of TB diagnoses made today still rely on the methodology used by Robert Koch to discover TB in 1882. When the Minister responds to the debate, will she commit to finding the missing millions, and to working with partners to guarantee access to WHO recommended diagnostics for all people at risk from TB?

I conclude by returning to the UN meeting and the motion before the House today. This issue is of such importance to the lives of people around the world because of increasing mobility and the flows of people. It is of such significance that I feel the Prime Minister must put in an appearance on behalf of the UK, not only to bang the drum about the advances we have made, but to make that valuable contribution that will save lives. If one statistic brought me up, it was learning that 700 children die every day from TB. As my right hon. Friend the Member for Arundel and South Downs said, if those statistics are not enough to make world leaders sit up, take notice and attend this meeting, goodness only knows what would be enough.

I am sure we will hear about the projected economic effects of TB in subsequent contributions. If anybody wants to look at them they are quite alarming. They provide both the head and the heart with a reason to participate in this high-level UN meeting, and I therefore hope that the Prime Minister will attend and give this issue her full attention. It is probably one of the most important things she will be asked to do to save lives around the world.

2.1 pm

Stephen Twigg (Liverpool, West Derby) (Lab/Co-op): It is a pleasure to follow the right hon. Member for Chesham and Amersham (Dame Cheryl Gillan); I echo everything she said about this important subject. I congratulate the right hon. Member for Arundel and South Downs (Nick Herbert) on securing this important and long overdue debate, on his active leadership of the all-party group on global tuberculosis, and on his co-chairing the Global TB Caucus. I also echo everything said by my hon. Friend the Member for Liverpool, Riverside (Mrs Ellman) about the fantastic contribution made in this field by Liverpool University and Liverpool School of Tropical Medicine.

Let us all welcome the upcoming UN high-level meeting on tuberculosis because it is an unprecedented opportunity for Governments around the world to come together and secure a global commitment to bring an end to the world’s deadliest infectious disease. I join other Members, and the motion, in saying that I very much hope the Prime Minister will attend the meeting in September, as that would send a powerful signal of the United Kingdom’s leadership and commitment to tackling deadly diseases and global health emergencies wherever they develop.

As the right hon. Member for Arundel and South Downs rightly reminded us, goal 3 of the global goals for sustainable development is “good health and well-being”, and it commits the world to bringing an end to TB by 2030. That is in just 12 years’ time, and it would be no small feat. On current projections, we are nowhere near to seeing an end to TB for 150 years, because the current rate of decline is about 2% on average, and it needs to be closer to 10% if we are to eradicate the disease by 2030.
As my hon. Friend the Member for Cardiff South and Penarth (Stephen Doughty) reminded us, many of those who live with TB are also living with HIV, and people with HIV have a weaker immune system, meaning that they are at much greater risk of developing TB. People with HIV are up to 27 times more likely to develop active tuberculosis than the average person. I welcome the Minister to her place, and when she responds to the debate, will she say whether the Department for International Development has any plans to develop a new strategy to deal with the two ongoing health emergencies of tuberculosis and HIV/AIDS?

Worryingly, of the 10 million people who fell ill with TB last year, only two thirds were diagnosed with the disease—that builds on what the right hon. Member for Chesham and Amersham said about diagnosis being a key challenge. Almost 4 million people were therefore “missing”, either because they were misdiagnosed or because they did not receive the correct treatment. Children often fare the worst, as just a quarter of cases of TB in children under five are diagnosed correctly and successfully. That has significant implications for treatment. TB is a curable disease, but it requires strict, continuous treatment with a number of antibiotics over a period of months. One reason why drug-resistant TB is becoming such a major problem is that many people do not finish their course of antibiotics, leaving them with mutated TB that is resistant to new antibiotics.

How can we address this issue? Funding is clearly a major part of the challenge we face, and the WHO’s global TB report suggests that more than $9 billion a year is needed to deal effectively with the crisis. In 2016, the amount available was less than $7 billion, so there was a shortfall of more than $2 billion, and funding is a serious barrier to making real progress on driving down the incidence of tuberculosis. The Department for International Development spends £2.3 million on solely TB-focused programmes, but some of the £93 million that it spends on broader infectious disease control is not TB-focused programmes, but some of the £93 million that it spends on broader infectious disease control is also allocated to tuberculosis. If we are serious about seeing an end to TB by 2030, we must ensure that the funds are there to meet that ambition.

The funding issue is compounded by some of the questions about poverty and TB that a number of hon. Members have addressed in this debate. In recent years, DFID has rightly focused more of its work on the poorest people in the poorest countries, but TB is often a major killer in countries where DFID no longer provides, or is migrating out of, bilateral official development assistance. That is a real challenge not just for DFID, but for the rest of Government and the international system. It is right that UK ODA is focused on the poorest countries, but we must ensure that middle and even high-income countries have effective mechanisms to deal with TB. The World Bank has been looking at mechanisms to help to fund a response to TB in countries that are not eligible for ODA. For example, low-interest loans could be made available to those countries to help them tackle their ongoing TB issues, allowing them to deal with TB without shifting funds from other areas of public expenditure. DFID has a wealth of experience in tackling infectious diseases, but if the money is not there to support those programmes, there is a risk that they fall flat or do not get off the ground in the first place. Will the Minister say what more DFID plans to do to tackle that significant funding gap?

The right hon. Member for Chesham and Amersham rightly focused on diagnosis, and we know that even when somebody shows the symptoms of TB, it is often difficult to diagnose. The tests take a long time and are often inaccurate. They also suffer from low sensitivity—that is the ability to correctly detect people with TB—or low specificity, which is the ability to detect people who do not have TB. Together, those two factors mean that people who take TB tests often receive a false negative or a false positive, and that can only further perpetuate the spread of TB in general, and of drug-resistant TB in particular. We need more accurate testing, such as the culture test, although that can take several weeks and its administration requires specialised equipment and skilled medical staff. Clearly a radical new approach is needed to ensure that there is the best diagnosis, treatment and prevention. That will involve improving our understanding of the basic science behind diagnostics, drugs and vaccines, as well as increasing research and development.

Education about disease prevention is important, and some of the most obvious steps in prevention are often the most effective, such as washing hands regularly, or covering our mouths when we sneeze or cough. That might sound obvious, but such small lifestyle changes can go a long way to prevent the spread of TB. Education is also important during the treatment phase, as people need to know how to take their antibiotics correctly and to be aware of the implications of skipping treatment. Will the Minister say what DFID in particular is doing to work with other Government Departments, including Health, to find new and more effective ways to both diagnose and treat TB?

DFID, rightly, is a hugely respected development body in the world. It has long played a strong leadership role in health emergencies. We have an opportunity, as set out in the motion, to reinforce that long-standing UK reputation. The United Kingdom has a chance, if the Prime Minister attends the UN high-level meeting, to send a very clear signal to the world of our priorities and our commitment to fighting TB.

2.10 pm

Victoria Prentis (Banbury) (Con): I am grateful for the opportunity to speak in the debate and to follow some excellent speeches. I hope that we do not have to wait a further 65 years before we have the opportunity to debate this important matter again. My right hon. Friend the Member for Arundel and South Downs (Nick Herbert) and the hon. Member for Ealing, Southall (Mr Sharma) are vocal campaigners on this subject. I am encouraged by the fact that we are now giving it the attention it deserves, particularly in the same week as the UN civil society hearing on the fight against tuberculosis.

I would like to add to some of the dreadful statistics we have heard this afternoon. My right hon. Friend the Member for Chesham and Amersham (Dame Cheryl Gillan) pointed out that around the world an estimated 700 children a day die from this disease. I want to make it clear that 80% of those deaths occur before that child is five. Fewer than 5% of those children have access to the sort of treatment that we all know could save their lives. Treatment gets ever easier. Thanks to DFID-funded
research, new child-friendly drugs have been developed. They taste of strawberry and can be added to water in a single dose, which makes things much easier for doctors and parents who until now have had to try to get children to take adult-sized pills. We have done the research on so much of this. We now need to ensure that the treatment programmes are rolled out so that many, many more of those 700 children a day who are dying of this disease get the treatment that they need.

I heard what the hon. Member for Liverpool, West Derby (Stephen Twigg) said about treatment in countries where DFID is no longer actively engaged. That is critical in relation to the worldwide disease, but we should also be concerned that TB is still prevalent in the UK. Some of the highest rates in the developed world are found right here in the city we are standing in. My own family has personal experience of tuberculosis. When this matter was last debated in the Chamber, my grandfather was very ill and ultimately died of the disease in south Wales. Since I became an MP some three years ago, I have been surprised to note that I have had quite a lot of casework to do with TB in north Oxfordshire. One of those cases involves a constituent who moved to the UK in the late 1990s. He joined the British Army in 2009. During phase two of his basic training, he was diagnosed with TB. He had never been diagnosed with it before; it has been assumed that he contracted it during his training.

I have also had cases involving the immigration process for people applying for visas from countries including Morocco, Ecuador and the Dominican Republic. They have to undergo quite invasive TB tests by a Home Office-approved clinic as part of their application process. Clearly, the Government, in the wider sense, recognise the extent of the problem, but there is perhaps not always the joined-up cross-departmental working needed to tackle it.

We should be proud of the Government’s efforts so far in the fight against tuberculosis. We should be proud of our contribution to the Global Fund to Fight AIDS, Tuberculosis and Malaria. The number of new TB infections is dropping. DFID’s support in developing new drug combinations to treat TB and the provision of funding to the TB Alliance demonstrates our commitment. In Oxfordshire—we heard earlier about Liverpool, so it is only fair that I mention Oxfordshire—we are fortunate to have one of the world’s largest TB vaccine research centres, based at the University of Oxford. With the support of the Medical Research Council, the Wellcome Trust, DFID and product development partnerships, the centre has been able to undertake cutting-edge research. I am hopeful that that will transform how we treat TB in the future.

There is clearly a great deal more to do. I am sure that the Minister will mention the progress we have made because of DFID’s investment in research. Like everybody else who has spoken, I would welcome assurances that the Prime Minister, or another senior Minister if she is unavailable, will attend the UN’s high-level meeting in September to ensure that research is appropriately funded and co-ordinated so that it can be sustained in future.

I am also concerned that primary healthcare services and maternal and child health programmes are too often run separately from TB programmes. Awareness among healthcare workers, and the capacity more broadly for diagnosis and treatment, remain limited. I hope that the Minister will be able to provide reassurances that she will look at how we improve access to vital diagnosis and treatment services, in particular for children with TB.

My grandfather probably got TB from infected milk. We do not know and we will never know. We still have much to learn about the way in which TB spreads and about cross-species transmission. I would not be doing my job as the Member for Banbury if I did not mention in a debate on TB the fact that bovine TB remains a very hot issue in the fields and market towns I represent. I appreciate that this falls outside the Minister’s remit, but I have serious concerns about the continued effect of bovine TB and its human impact on the farming communities I represent. The relevant Minister from the Department for Environment, Food and Rural Affairs met me and my hon. Friends the Members for Henley (John Howell) and for Witney (Robert Courts) earlier this week to discuss how to reduce TB in cows in our area. We looked at compensation levels for farmers and reduction mechanisms, such as whether we can stop store cattle being moved from high-risk to low-risk areas. We also talked about badger control. If we are to eradicate TB once and for all, we have to look at what is happening in species other than our own.

We have made great progress in the right direction, but there is still much more to do, both at home and abroad. I hope that we will have the chance to talk about tuberculosis many times before we reach our goal—hopefully well before 2030—of eliminating it.

2.17 pm

Jim Fitzpatrick (Poplar and Limehouse) (Lab): I am grateful for the opportunity to make a very brief contribution to the debate. It is a pleasure to follow the hon. Member for Banbury (Victoria Prentis), who made a very good contribution. There is a bit of controversy about the Government’s solution to bovine TB, but it is a very serious issue and it does need to be addressed. I congratulate the right hon. Member for Arundel and South Downs (Nick Herbert) on securing the debate, his excellent presentation of all the facts and the sterling leadership he has given the House on this issue over a considerable period of time. It is valued and valuable, and we are grateful for the amount of time and effort he has put into it. I thank the Backbench Business Committee for affording the time for the debate.

The right hon. Gentleman, in his presentation, said that the motion succinctly outlines the main issues, so I do not see any reason for me to repeat all the messages contained in the excellent contributions we have already heard and I am sure we will hear before the close of the debate. It will suffice if I just make a few points.

TB is the world’s deadliest infection with, as we have heard, 1.7 million deaths in 2017. The WHO declared it a global health emergency in 1993 and it has not diminished since then. The UK has a very proud record. DFID should be pleased with the respect and recognition it and the UK have received for helping to address the issue across the world. World progress, however, is slow. It appears that the comparison with funding for HIV/AIDS and for malaria does not stand up to scrutiny, and I will come back to that in questions that I will pose to the Minister in due course.
If I may, however, I will stray for a moment from infectious diseases to one of the world’s other huge killers—that is, road crashes—which has an even lower profile. Annually, 1.25 million people die on the world’s roads and 20 million are seriously injured. The figures for malaria—I am not diminishing this in any way, shape or form—show that 429,000 died from malaria in 2015, which is the last year for which figures are available, and 1 million died from HIV/AIDS. There were 1.25 million deaths from road crashes. The UN and the World Health Organisation have recognised that this carnage needs to be addressed and two specific sustainable development goals address just that issue.

The United Kingdom is a world leader on safer roads. We can be of great help to many countries. The fire and rescue service and fire industry charity Fire Aid, which I chair, delivers post-crash response equipment and training to 30 countries. We are engaged with DFID and the Department for Transport and I hope that we can strengthen those links in future, because we can contribute much more to reducing these awful deaths—many are children on the way to and from school.

As I mentioned, I have just a few questions to pose to the Minister. I would be grateful if she could respond later, and if not, I would be very happy to receive correspondence in due course. First, can DFID commit to working with partners to close the TB funding gap? Secondly, will UK embassies champion TB in all high TB burden countries? Thirdly, will DFID establish a specific programme for new resources for TB, as it has for malaria and HIV/AIDS? Fourthly, will the Minister make DFID’s overall investment in HIV, TB and malaria in each of the last five years available through the devtracker website?

In conclusion, east London has been the hotspot in the UK for TB for—for ever, probably, but certainly in recent years. As the right hon. Member for Arundel and South Downs mentioned, the number of notifiable TB cases was 5,000 in 2017, down from 6,017 in 2011. We are going in the right direction, but people still die from TB in the UK, so it is a domestic issue as well as a global one.

I am grateful to consultant physician Dr Veronica White and her colleagues—she is a TB specialist at Barts and the Royal London NHS Trust—for all the work that they do in east London and to help the UK’s efforts, and for her briefing. I am also grateful to Alysa Remtulla from STOPAIDS and Janika Hauser from the all-party group on Global Tuberculosis for their assistance in producing briefings for all of us for this debate.

This is a hugely important issue. I echo the request to the Prime Minister—I think I signed the letter that the right hon. Member for Arundel and South Downs circulated last year—to attend the high-level global meeting. She will need relief from Brexit at some point. This would give her the perfect antidote by letting her concentrate on something on which I am sure the whole House will agree. It will give her the opportunity to take her mind off what is happening here and between us and the Commission.

2.23 pm

Sir Edward Davey (Kingston and Surbiton) (LD): Sometimes we come to a debate in the House of Commons and really learn things. I am grateful for the speeches that we have heard so far, because I have learned a lot. I particularly learned about the work that the right hon. Member for Arundel and South Downs (Nick Herbert) has done and I pay huge tribute to him not just for securing this debate, but for that. The fact that parliamentarians from this House work around the world to tackle this incredible disease is a tribute to the House and, of course, to him.

It is also great that this country, with cross-party support for the 0.7% of GDP, is enabled through DFID to take a leadership role. One of the reasons we should always defend the cross-party achievement of raising the level of spending on overseas aid is that it can do such a huge amount of good. The relatively small sums of money that are spent on research into TB, for example, can do such a huge amount of good—the value for money is unquestionable.

That is what I want to pick up on in the first part of my remarks. The right hon. Gentleman talked about this concern in reference to Lord O’Neill’s report: although we are having some success, the danger is that with drug-resistant TB, the success will be reversed. Therefore, the urgent need to redouble our efforts, either through DFID funding or by working with others at the UN, could not be greater. If there is one thing that I would urge the Minister to do, not only in replying to this debate but when she goes back to Whitehall, it is to see what more we can do on that. There is some fantastic work, including the trials that we saw in 2013 and 2014, and the trials that are ongoing, which will not report for a few years. There is the work that Médecins sans Frontières and some of the great scientists in our universities are doing. We need to make sure that that concludes and helps us to produce the new drugs that will be essential to avoiding, frankly, a global pandemic, if we are not careful. Remember that this is an infectious disease that kills more people than any other infectious disease in the world, so the importance of that work cannot be underestimated.

I want to turn back to this country, following on from the remarks made by the right hon. Gentleman, the mover of the motion. This is a disease that hits the poorest in society, whether in developing countries or in the UK. We have had real success in this country in reducing the incidence—it has fallen by nearly 40% in the last six years—and we should pay tribute to Public Health England, the NHS and all the people who are working to bring that about. However, one group in our society is not seeing a reduction—that is, the very poorest. Homeless people, drug and alcohol addicts, prisoners and destitute migrants are not seeing any reduction, and one can sort of understand why. Their need for formal healthcare is much greater. A homeless person is twice as likely to die from TB as any other person who contracts TB, so we have to look at that group of people.

Some work is being pushed, and Governments have responded to this need. In particular, I want to bring the work of the London find and treat team to the House’s attention. The team have just one van. They have a mobile digital X-ray unit, and they find, diagnose and enable people to access the healthcare that they
need. Remember that this is an infectious disease, so it is really important that we find and treat, so that we help those people to help wider society.

I have one spending request for the Minister. There has been a pledge that there will be more money for these find and treat teams in the UK, so that we can help the most vulnerable in society who are contracting this disease, among whom the incidence of TB has not gone down. I do not believe that this is a massive spending request, but if we could find a bit more to help those find and treat teams—indeed, to expand their work so that it is not just on TB, but on one or two other infectious disease that have high incidences—that would be a tremendous advance, and I am sure that it would get cross-party support. The Minister may not be able to answer that today, but if she could say that that outreach work could be a real boon and talk to colleagues about it, I would be grateful.

I end by paying tribute to those from this House who have done such great work around the world. It is truly impressive.

2.28 pm

Sandy Martin (Ipswich) (Lab): It is a real pleasure to follow the right hon. Member for Kingston and Surbiton (Sir Edward Davey) and all the other speakers. I fully support the motion and all the actions that it calls for. Much has been said about the urgency of ending the scourge of tuberculosis abroad, but I want to focus on what we can do here in the UK to help to stamp out TB among our citizens. If we are going to champion the fight against TB in countries where the prevalence is far greater, but where the general economic situation is far poorer, how can we hold our heads up when England still has one of the highest rates of TB in western Europe? That is from the Public Health England report of this March, so I apologise to colleagues from other nations of the UK—no doubt the figures are similar there.

Of course I support research into the causes and prevention of TB. Of course I support our programmes abroad to help to reduce the millions of deaths in less developed countries. Of course I support the search for new, more effective drugs, but we already know some of the causes, and the lack of effective policies on poverty and homelessness in our country make our commitments to eradicating TB abroad look—how shall I say this?—inconsistent. Public Health England is doing many of the right things, such as improving access to testing and diagnosis, but if we look for the reasons for the 20-year rise in TB rates in the UK from the mid-1980s to the early years of this century, the causal factors are not hard to find.

Some of the policies of the present Government, and, indeed, all Governments since the 1980s, have not helped. First, there is homelessness. Whether the homeless person was born in the Marshall Islands or in Margate, we know that if they are sleeping rough they are far more susceptible to infection and far less likely to seek treatment. Thirty per cent. of people in this country with TB do not seek treatment for more than four months, even after the symptoms have started, and during that time they are infecting the people around them. A very high proportion of those people are marginalised, without easy access to healthcare and without the motivation to seek it. We can try to work with homeless people, and I was delighted to hear about the London find and treat team, but how much better and more effective it would be to eradicate homelessness, and especially rough sleeping.

Secondly, there is our attitude to immigrants. It is yet another outcome of the hostile environment that so many immigrants suffer from diseases and do not have the information or the confidence that would enable them to seek help. Three quarters of TB sufferers in this country last year had not been born in the United Kingdom. That does not mean that they brought the disease with them, but it does mean that we do not do enough to inform immigrants to this country of the healthcare that is available, and do not give them the confidence to seek help from official organisations, including the national health service.

Jim Fitzpatrick: My hon. Friend is making a very important point. A matter that attracted quite a bit of controversy about 10 years ago was the number of people coming to this country as refugees or asylum seekers, from sub-Saharan Africa in particular, suffering from TB. The question to NHS England at that point was, should they be screened on entry? There was sensitivity about whether that was discriminatory and whether it was the right thing to do. It now appears that there has been an adjustment to the attitude of NHS England, which is screening people much more effectively. We need to let people know that they are carrying the disease and we can help them, but that means that we need to check them as they come into the country. There is great sensitivity about that, and I am not sure what the current position is.

Sandy Martin: I thank my hon. Friend for his helpful intervention. I would fully support a screening programme to help people who have TB and do not know it to receive the treatment that they need, and I cannot understand why anyone would be opposed to that. However, we are not just talking about people who were infected when they arrived; we are also talking about immigrants in this country who have contracted TB and who are afraid to go to the national health service, or do not know how to do so. Unless all UK residents can trust the major public institutions in our country, we are endangering ourselves. I urge Her Majesty’s Government to carry out a serious study of the take-up of health services by first-generation immigrants, and what can be done to remove the hurdles.

I fully support everything that has been said about the need to eradicate TB throughout the world, but let us also do something to remove the beam in our own eye, and deal with the poverty and marginalisation that prevent us from eradicating it here in the United Kingdom.

2.33 pm

Jim Shannon (Strangford) (DUP): I am last but hopefully not least.

I thank the right hon. Member for Arundel and South Downs (Nick Herbert) for setting the scene so well. I think that his speech gave us all an appetite for the debate, but he also challenged us in the House to do better. I thank other Members for their contributions as well; they have been much appreciated.
[Jim Shannon]

Most diagnoses are still made with the use of a technology pioneered in the 19th century that relies on laboratory infrastructures and several weeks of culture to determine drug resistance. In the weak health systems to which many Members have referred, where so much of the global TB burden is concentrated, the consequences are catastrophic. That is the issue for me and, I think, for others who have spoken today. The hon. Member for Ipswich (Sandy Martin) was right to refer to what has been done on the UK mainland, but I want to focus on what is happening in the rest of the world, where TB is rampant and can be catastrophic in terms of the lives that are lost and the lives that are affected.

The drug regime that is used to treat TB was developed in the 1950s. It is cheap and can cure the disease, but it is no match for drug resistance. People who suffer from drug-resistant strains of TB must currently undergo up to two years of treatment, swallowing thousands of tablets and having painful injections that lead to the most severe side effects and may ultimately not cure the disease. We also have no effective adult vaccine for TB.

The BCG vaccine that many Members will have received as infants offers protection against only the most severe forms of childhood TB. Although it is worth while, it does not do what vaccines are usually so good at: preventing disease for life and interrupting the chain of transmission. If we want to talk about the eradication of any disease, whether TB or HIV, we must invest in vaccines research. A Member who is no longer in the Chamber mentioned that to the right hon. Member for Arundel and South Downs in an intervention.

If new tools are to become available to us in seven years, we must invest. Currently, we are not doing so. Funding for TB research has consistently fallen short of 50% of the estimated annual need. We must address that issue as well, and I look to the Minister for a response. She is always very forthcoming, and I know that she will take our views on board. Unless that funding shortfall is addressed with great urgency, we have no hope of ever achieving the sustainable development goal to which our Government signed up three years ago.

It should be noted that the UK Government have done a great deal in this regard and currently rank as the second largest funder of global health research. Let us give some credit to our Government, to the Department and to the Minister for what has been done. The Government’s work, the product development partnerships and the researchers working on TB, HIV, malaria and other diseases should be celebrated. We have led by example—I wish that others could follow that example—but the funding gap for TB persists, and we will never close it unless concrete pledges are made. It would be a shame for the UN high-level meeting to pass with just another set of empty promises that have no impact on the people most affected by TB.

The Treatment Action Group estimates that if countries pledged to devote just 0.1% of their overall gross domestic expenditure on research to TB research and development, the R&D funding gap would be closed. That is a goal for which I am sure other countries could aim. People watching this debate could say, “Let’s do that.” If other countries did that along with us, we could do something significant very quickly. In terms of the average over the past five years, the UK Government have already been hitting the target, but many other countries continue to invest far less than their fair share, and without them, we will not achieve the sustainable development goal.

The UK has established itself as a leader on TB research, in respect of both funding and our fantastic research institutions in the public and private sectors. That is a very good example of the two sectors working together for the benefit of a great many people. The UN high-level meeting gives us an opportunity to demonstrate our leadership and to bring other funders to the table to talk about how we, as a community, might close the funding gap in a way that is fair and does not place an undue burden either on countries that are already investing significantly or on those that are simply unable to afford it. Will the Minister and her Department commit themselves to working with partner countries to develop concrete, fair-share funding targets for closing the research funding gap at the high-level meeting?

Let me end by saying something about co-ordination. As we work with partners to increase investments in TB research, it is essential for those investments to be well targeted and co-ordinated so that they can have an impact on patients’ lives as quickly as possible. I do not think that that is currently the case. The first two new drugs that became available for the treatment of TB were developed in isolation, which necessitated years of additional research to see how they could be safely and effectively integrated into existing regimens. That is something we should consider. The new diagnostic test, GeneXpert, which promised to revolutionise the diagnosis of TB, remains inaccessible to most. That is another shortcoming, which is due in no small part to the lack of operational and implementation research that would tell us how to use the tool most efficiently. We need to address that as well.

The UK Government have demonstrated the ability and willingness to convene partners and co-ordinate research funding, particularly in the field of antimicrobial resistance, of which TB is such a major part. Most recently, the Government supported the launch of the G20 AMR research and development collaboration hub, which has been a really good step in the right direction, providing an innovative new model through which research investments by countries from across the G20 and the world can be effectively co-ordinated to ensure patients have equitable access to innovation as quickly as possible.

In conclusion, I urge the Minister to work with partners through the G20 AMR R&D collaboration hub, which is a great idea that could really do things and move us in the right direction. The consensus from everyone who has contributed today, on both sides of the House, is that we want this to happen. We want the hub to make TB one of its priority pathogens and to begin work to co-ordinate TB R&D investments. I thank the right hon. Member for Arundel and South Downs for securing the debate. I am happy to have contributed and to support both him and the energy of the House in its desire to make things better for those who cannot do it for themselves.

2.40 pm

Martyn Day (Linlithgow and East Falkirk) (SNP): I am pleased to be able to speak in this important debate, and I am grateful to the right hon. Member for Arundel and South Downs (Nick Herbert) and the hon. Member for Ealing, Southall (Mr Sharma) for securing it.
The cost of drug resistance for health systems is also profound. A survey in 2011 found that while drug-resistant TB made up only 2% of cases in South Africa, it took up nearly one third of the budget. Through the UK Government’s commissioning of Lord O’Neill to conduct a review of AMR and the campaigning of the chief medical officer, Dame Sally Davies, the UK Government have established AMR as one of the world’s leading health priorities.

In spite of TB being declared a cornerstone of AMR and having been included on a World Health Organisation list of priority pathogens with a high risk of drug resistance, initiatives to tackle AMR have not given TB the focus that it warrants. The UK’s investment in the Fleming Fund, established to improve surveillance capacity in developing countries, does not include TB in its remit. Will the Government commit to including TB in the next round of Fleming Fund programmes and press for the mainstreaming of TB within the AMR agenda?

At last year’s G20 summit, Governments recognised the importance of addressing drug-resistant TB with great urgency. The G20 is home to over 50% of global cases of TB and will feel over 60% of the economic impact of the disease over the next 15 years—a significant estimate of about $600 billion. The G20 is also responsible for funding over 95% of all publicly supported TB research and development, so co-ordinated action on addressing drug-resistant TB within its AMR agenda is critical. Following the 2017 G20 leaders’ declaration, the G20 launched an AMR R&D collaboration hub at last month’s World Health Assembly. In the year of the UN high-level meeting, this collaboration hub is the perfect vehicle for co-ordinating and enhancing publicly funded TB research and development from across the G20.

In conclusion, I have a couple of asks for the Minister. Will she commit to contacting her counterparts on the board of the G20 AMR collaboration hub and asking them to prioritise TB within its initial work? Furthermore, can she assure the House that the UK Government will champion a continued focus on TB in the G20 AMR agenda both at the forthcoming Argentinian summit and through any future AMR initiatives?

2.46 pm

Kate Osamor (Edmonton) (Lab/Co-op): I congratulate the right hon. Member for Arundel and South Downs (Nick Herbert) and my hon. Friend the Member for Ealing, Southall (Mr Sharma) on bringing this debate to the Floor of the House, and I thank every Member who has spoken for bringing so much knowledge and passion to the debate, especially my hon. Friend the Member for Liverpool, Riverside (Mrs Ellman), who spoke about the University of Liverpool and the Liverpool School of Tropical Medicine, which lead on research here in the UK. I also pay special thanks to Lucy Drescher and Janika Hauser from RESULTS UK for producing parliamentary briefings for the debate and providing the research that went into my speech.

The forthcoming United Nations high-level meeting on TB offers a truly unprecedented opportunity to transform the fight against TB, so today’s debate could not have been called at a more significant moment to discuss TB. I join my hon. Friend the Member for Liverpool, West Derby (Stephen Twigg), the right hon. Member for Chesham and Amersham (Dame Cheryl
Gillian), the hon. Member for Banbury (Victoria Prentis), the right hon. Member for Kingston and Surbiton (Sir Edward Davey) and the 150 Members from across the House who are calling on the Prime Minister to confirm her intention to attend the meeting personally in September.

Some 10.4 million people are infected with TB. In 2017, 1.7 million people died of TB—almost 5,000 a day. In the time allocated for this debate, 582 people will lose their lives to a curable disease—that is perhaps the most outrageous fact of all. TB is curable, and has been for more than 50 years. Every death from TB can be, and should have been, avoided. The global response against TB has been one of failure: not a failure of those doctors, nurses, scientists and civil society groups who have been working tirelessly in a system stacked against them, but a failure of political will.

Two years ago I visited Zambia with RESULTS UK and met with doctors who spoke of the horror of needing to prescribe drugs they knew to be toxic and potentially ineffective despite years of treatment, in the knowledge that there is simply no alternative. Those on the treatment whom I met spoke of the pain of side-effects, the stigma, and the feeling of hopelessness. Those who successfully make it through the treatment bear lifelong mental scars.

I want to put on record that I welcome the work that the Minister and the Department are already doing in the global response to TB. In the debate we heard my hon. Friend the Member for Arundel and South Downs (Nick Herbert) and the right hon. Member for Strangford (Jim Shannon) in asking the Minister whether DFID will commit to working with global partners to ensure concrete steps are taken at the UN high-level meeting to close the TB research funding gap and to ensure that funding is appropriately co-ordinated so that affected communities can access the products of such innovation as easily and quickly as possible.

If we are to talk seriously of ending TB before 2030, we will need to diagnose and treat a cumulative total of 40 million people before 2022. The WHO’s “End TB Strategy” shows that we will only reach the SDG 3 target if new tools to prevent, diagnose and treat TB are made accessible to affected communities before 2025. With just seven years left, we have a long way to go. The UK has an opportunity to use the high-level meeting to lead on the global challenge—ultimately, by demanding and effecting change to deliver on the SDGs.

I therefore ask the Minister: does the Department have plans for fairer national targets to be discussed or developed at the UN high-level meeting? I join the hon. Member for Banbury (Victoria Prentis) in asking the Minister to commit to DFID improving cross-departmental working to ensure these targets are delivered. I know that the Minister literally embodies cross-departmental working to ensure these targets are delivered. I know she could be . When the Government signed up to the sustainable development goals the UK signed up to the commitment to be at the forefront of their delivery, but projections show that at the current rate of progress there is little likelihood of ending TB by 2030 and that that will not be met for more than 150 years.

Last year’s World Health Organisation global TB report stated that there is a $2.1 billion funding shortfall for the diagnosis and treatment of TB drug susceptibility alone, and funding for drug-resistant TB services will need to double before 2020 to be in line with the WHO global plan to end TB. The global plan estimates that the annual investment needed for TB is $9.2 billion a year, rising to $12.3 billion a year in 2020. With a single course of MDR-TB treatment costing 10 times more than drug-sensitive treatment, the global cost of ending TB will skyrocket unless action is taken now. The UK’s investment in TB continues to be dwarfed by our investments in HIV and malaria. I have no criticism of the UK investing in strengthening HIV maternal and child health systems, but sadly, antimicrobial resistance continues to exclude TB programming.

I must add that despite TB being the world’s deadliest infectious disease, 17 of the Department’s priority countries are classified as high-burden countries, but DFID currently has no dedicated TB programmes and offers no direct bilateral investments, and often bilateral funding is dependent on country requests. Does the Department have a plan in place for addressing TB in its own priority countries? Many high-burden countries can and should invest more in their national TB programmes.

Another central theme of today’s debate is the need for TB research and development. Sadly, in the absence of adequate funding for TB programmes, drug resistance has emerged and spread, rendering a curable disease increasingly difficult to treat. The UK’s investment in TB research and development is already transforming lives second to none on the global stage. New diagnostic tools will allow us to diagnose people more quickly and accurately; new drugs and paediatric formulations are improving treatment outcomes. None the less, data collected from the Treatment Action Group show that global funding for TB research and development falls consistently short of 50% of the annual funding need. I therefore join my hon. Friend the Member for Poplar and Limehouse (Jim Fitzpatrick) and the hon. Member for Strangford (Jim Shannon) in asking the Minister whether DFID will commit to working with global partners to ensure concrete steps are taken at the UN high-level meeting to close the TB research funding gap and to ensure that funding is appropriately co-ordinated so that affected communities can access the products of such innovation as easily and quickly as possible.

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In conclusion, I hope that the Prime Minister will attend the UN high-level meeting in earnest, first, to demonstrate the UK’s commitment to ending TB and, secondly, to convene partners at the UN to demand a meaningful political declaration that will effect change. It would be a tragedy if all that came out of the UN high-level meeting was another political declaration full of empty promises. Let the current trend be a warning to the Government: we cannot let our successors stand at these Dispatch Boxes years from now to have the very same debate once again.

2.56 pm

The Minister of State, Department for International Development (Harriett Baldwin): It is a pleasure to serve under your chairmanship, Madam Deputy Speaker. I, too, thank my right hon. Friend the Member for Arundel and South Downs (Nick Herbert) and the hon. Member for Ealing, Southall (Mr Sharma) for persuading the
Backbench Business Committee to arrange this very important debate. I thank all Members in the Chamber for contributing to an absolutely excellent debate. They have really shown a commitment to keeping TB high on the agenda.

Most of the questions I have been asked will be covered in my speech but, in response to the specific points raised, I want to add my tribute to the work done on this agenda in Liverpool and in Oxford, which was highlighted by colleagues. I pay tribute to the work done by the hon. Member for Poplar and Limehouse (Jim Fitzpatrick) and others on the subject of road deaths, which has been covered elsewhere. I also pay tribute to the right hon. Member for Kingston and Surbiton (Sir Edward Davey) for bringing to the House’s attention the work of the find and treat teams. Such work is clearly outstanding, and those responsible for funding those teams will have heard that.

We heard excellent contributions from the hon. Member for Liverpool, Riverside (Mrs Ellman), my right hon. Friend the Member for Chesham and Amersham (Dame Cheryl Gillan), the hon. Member for Liverpool, West Derby (Stephen Twigg), my hon. Friend the Member for Banbury (Victoria Prentis), the hon. Member for Poplar and Limehouse, the right hon. Member for Kingston and Surbiton, and the hon. Members for Ipswich (Sandy Martin), for Strangford (Jim Shannon) and for Linlithgow and East Falkirk (Martyrn Day). That is testament to the importance of this subject.

I am pleased to say that the UK Government are truly a leading player in global health generally. Good health is clearly valuable not only in its own right, but in contributing to the prosperity and stability of developing countries, as well as to the health of people in the UK. As colleagues may know, the UK is in fact the largest funder of GAVI—the Global Alliance for Vaccines and Immunisation. In 2016 alone, that vaccines alliance immunised over 15 million children against vaccine-preventable diseases such as diphtheria and polio, and saved approximately 300,000 through its work that year. Through such programmes, I am proud to say that we have almost eradicated polio and guinea worm worldwide, while typhoid and diphtheria are being tackled and have almost eradicated polio and guinea worm worldwide, while typhoid and diphtheria are being tackled and small pox has been eradicated.

However, as colleagues have stated, tuberculosis presents a vast challenge, with 10.4 million people falling ill with, and 1.7 million dying from, TB in 2016 alone. Although the TB death rate dropped by 37% between 2000 and 2016—that success should be applauded—TB is now the world’s leading infectious disease killer. That is why the Department for International Development will provide up to £1.1 billion for the 2017 to 2019 replenishment of the Global Fund to Fight AIDS, Tuberculosis and Malaria.

As colleagues have noted, this year’s high-level meeting at the United Nations General Assembly presents an important opportunity for the world to accelerate global progress in tackling TB and drug resistance. The debate—and, indeed, the letter from 150 colleagues—has shown the importance that this House attaches to the Prime Minister’s attendance at the high-level meeting. The UK will work closely with other member states to negotiate the commitments to be made in the political declaration of the meeting. In fact, I can assure hon. Members that the entire diplomatic network will be engaged in ensuring that the declaration is ambitious, including through G7 and G20 discussions. For example, we have already helped to secure specific references to TB in the most recent G20 Health Ministers’ and leaders’ declarations. I cannot personally commit the Prime Minister’s diary at this time, but No. 10 will have heard the voices of parliamentarians this afternoon. I assure Members that, whatever happens, there will be strong, high-level UK representation at the meeting.

Of course, that one meeting is only part of the story. The UK should be rightly proud of the action it has taken to fight TB at home and abroad. At home, there has been a remarkable 40% decline in new cases since 2011. In fact, TB cases in the UK are at their lowest level for 30 years. Most of the recent decline is down to the TB control measures that have been discussed today, and to screening in the 59 high-incidence clinical commissioning group areas. I pay tribute to the excellence of the cross-departmental and cross-country working that has been done as part of this initiative.

Abroad, DFID is a global leader on tackling the TB epidemic, and we do that in three ways. Mainly, we fund increased access to care through our contribution to the global fund. We are the second largest funder, with £162 million of this investment going to tackle TB. That will support the treatment of 800,000 people with TB and accelerate innovation to provide access to new drugs and diagnostic tests. Secondly, we tackle TB through programmes to strengthen health systems in a wide number of countries. We are working with national Governments, particularly in low-income countries, to help people to access high-quality healthcare for all priority health needs, including TB. The prevention, diagnosis, and treatment of TB are underpinned by people having access to good-quality health services. Given that TB is most widespread amongst the poorest, our wider work on reducing poverty and increasing access to services, including efforts to reduce the poverty and vulnerability of populations, also has an impact on this terrible disease.

Thirdly, we fund research into developing new products to combat TB. This is hugely important. We need better and cheaper diagnostics that are available on the spot, including diagnostics that detect drug resistance. Thanks to UK funding, a new test—the GeneXpert test mentioned by the hon. Member for Strangford—has been developed. It reduces the diagnosis time from many days to under four hours, and is now available in 140 countries worldwide. It is also used in the UK, so this is a real, practical example of UK aid funding something that is in our national interest.

Research is also needed to provide shorter drug treatments, which make it easier for people to complete treatment courses and to help themselves, and prevent drug resistance. We provide support to the TB Alliance for this. It has successfully developed paediatric TB drugs and is now working to develop new, faster-acting and more effective TB drugs, including drugs that can be taken by people with HIV. DFID is funding this drive for new drugs and diagnostics as part of the £1 billion Ross Fund portfolio.

Many colleagues have mentioned antimicrobial resistance. Tackling drug-resistant strains of TB, like other forms of antimicrobial resistance, presents a significant challenge to all our work on TB. The disease accounts for one third of all antimicrobial resistance-related deaths worldwide. We are therefore working to prevent, identify
and treat drug-resistant TB globally. UK support to Gavi for immunisation reduces infections and the need for treatment. The UK’s Fleming Fund is improving laboratory capacity for diagnosis and surveillance of AMR in low-income countries. Our support to the TB Alliance is helping to develop new regimens for treating drug-sensitive and drug-resistant strains of TB. We also fund Unitaid, which aims to triple access to RAID testing for drug-resistant TB, and to reduce prices for drugs to treat TB and drug-resistant TB. The UK Government recognise another challenge: many of those suffering from TB also have HIV; and, as several colleagues mentioned, being HIV positive increases vulnerability to TB. UK aid has helped the global fund to keep 11 million people alive with HIV therapy. DFID prioritises the integration of services to avoid siloed HIV and TB responses through our programmes.

I started with praise for the efforts of my right hon. Friend the Member for Arundel and South Downs in his work on TB globally, and I will end by recognising the significant UK contribution to that agenda. Our universities carry out basic science research, explore how to improve TB services, and work to develop new treatments and vaccines. The UK’s world-leading pharmaceutical companies also contribute by developing new TB treatments and vaccines. The UK is working hard with the global community to achieve progress on the agenda and a successful high-level meeting. We hope that our shared efforts will enable us to achieve the ambitious targets of the WHO’s “End TB Strategy” and the global goals. I thank all hon. Members for discussing this important issue today.

3.6 pm

Nick Herbert: This has been a good debate, with a large degree of consensus across the House and many well-informed contributions from right hon. and hon. Members on both sides, including the Front Benchers. I am grateful for that and for the help that hon. Members are giving to raise the profile of this disease.

I pay tribute to the work of the co-chair of the all-party group on global tuberculosis, the hon. Member for Ealing, Southall (Mr Sharma). He was expecting to speak, but was taken away from the House for something else. However, I am sure that he would have wanted to draw attention to the huge progress being made in India, where the Prime Minister, as I mentioned earlier, has shown real leadership by getting India to commit to eliminate TB on a tighter timescale than the one in the sustainable development goals. That has shown the kind of global leadership that will be necessary, and if we can encourage other global leaders to follow that lead, we will make huge progress. I congratulate the Government on what they have been doing. I accept the Minister’s description of all the things that DFID and other Departments are doing, and I note that the International Development and Health Secretaries have personally committed to the issue, for which I am grateful.

TB has been the orphan disease. Despite its terrible record of claiming lives, it does not have the celebrity champions or the pop stars of other diseases, and it does not get the same media attention. Although the disease claims more lives every year than any other infectious disease, I can guarantee that the media will pay no attention whatsoever to this debate. That needs to come to an end. Today, we in this House have at least played our part in raising the profile of the disease, helping to make TB truly a disease of the past.

Question put and agreed to.

Resolved.

That this House recognises that tuberculosis (TB) remains the world’s deadliest infectious disease, killing 1.7 million people a year; notes that at the current rate of progress, the world will not reach the Sustainable Development Goal target of ending TB by 2030 for another 160 years; believes that without a major change of pace 28 million people will die needlessly before 2030 at a global economic cost of £700 billion; welcomes the forthcoming UN high-level meeting on TB in New York on 26 September as an unprecedented opportunity to turn the tide against this terrible disease; further notes that the UN General Assembly Resolution encourages all member states to participate in the high-level meeting at the highest possible level, preferably at the level of heads of state and government; and calls on the Government to renew its efforts in the global fight against TB, boost research into new drugs, diagnostics and a vaccine, and for the Prime Minister to attend the UN high-level meeting.
Turkey

3.9 pm

Joan Ryan (Enfield North) (Lab): I beg to move,

That this House has considered early elections, human rights and the political situation in Turkey.

I am pleased to have secured this debate, and I thank the hon. Members for Strangford (Jim Shannon) and for Edinburgh East (Tommy Sheppard) for accompanying me to the Backbench Business Committee to make our request.

This is an important opportunity for the House to show our strongest possible support for democracy, human rights and the rule of law in Turkey. Turkey is a key NATO ally, one of our strategic partners in the fight against Daesh and a major trading partner of the UK. In short, our bilateral relationship is vital.

As the representative of vibrant Turkish, Kurdish and Alevi communities in the London Borough of Enfield, I have been contacted by many residents about the current situation in Turkey. They are deeply worried for the safety of their family and friends.

It has been six years since we last had a general debate in this Chamber on issues relating to Turkey. This debate could not have come at a more urgent time. In 17 days, on 24 June, Turkish citizens will head to the polls to vote in presidential and parliamentary elections, more than a year earlier than scheduled. There are major concerns that the elections will be neither free nor fair. The elections will happen under the state of emergency that has been in place since the attempted coup in July 2016. Under these conditions, the freedoms of expression, assembly and association have been severely curtailed, creating a clear and present danger that democracy is being undermined in Turkey.

This debate is a crucial opportunity to raise these concerns and to call on the UK Government to ensure that Turkey upholds its international human rights obligations.

Dame Cheryl Gillan (Chesham and Amersham) (Con): I congratulate the right hon. Lady on securing this timely debate.

I sit on the Parliamentary Assembly of the Council of Europe, and I will be going on an observer mission to scrutinise the elections in Turkey, which I agree need to be free, fair, transparent and in line with international standards so that people in Turkey can have confidence in the results.

What should the people going to observe the elections in Turkey particularly look out for? What has the right hon. Lady heard about in advance that may make the elections not free or fair?

Joan Ryan: A key point is where polling stations are located. There is evidence that polling stations are being moved from areas of towns and from villages that clearly have a population that will not be voting AK party to areas where there is a larger number of AK party supporters, which I consider to be voter suppression.

We could compare that with what happens in this country, because many people in London and other areas are able to vote in these elections. The polling station for London, for instance, is in Kensington, but a very large majority of the Turkish population are in north London and it is extremely difficult for elderly people and people with children to get across London. The community has had to make buses available, but the location of the polling station hugely reduces the turnout when people actually want to vote. That is one point of which we should be very careful. Of course, intimidation is also a serious issue in some areas of Turkey. I am glad the right hon. Lady will be an election monitor, and I have much confidence in her ability.

This debate is a crucial opportunity to raise our concerns and to call on the UK Government to ask Turkey to uphold its obligations. In pursuit of greater economic co-operation, our Government cannot turn a blind eye to the rapidly deteriorating political and human rights situation. Trade between the UK and Turkey is worth more than £15 billion, but our partnership with Turkey must be honest and critical. We must hold President Erdoğan to account and ensure that he adheres to international human rights law.

The UN High Commissioner for Human Rights has said that Turkey’s state of emergency and restrictions on fundamental freedoms do not in any way “provide for the safe and free environment essential for the holding of a referendum or any other election.”

How did we get to this position? Why did President Erdoğan call these early elections? He is widely expected to win the elections, which follow the highly contentious 2017 Turkish constitutional referendum. The Organisation for Security and Co-operation in Europe, which monitored that referendum, found that it “took place on an unlevel playing field” where “fundamental freedoms essential to a genuinely democratic process were curtailed.”

President Erdoğan labelled some of those who opposed the constitutional changes “terrorist sympathisers”, and in numerous cases the OSCE found that the no supporters faced bans on their campaign activities, and police interventions and violence at their events. That is further behaviour that the right hon. Lady, and Dame, no less, could look out for when she is an election monitor.

The constitutional changes backed by President Erdoğan’s AK party were approved by just 51% of the vote, despite all the pressure that was applied. Such opposition to these changes shows that many Turkish citizens are increasingly worried by what they see as his growing authoritarianism. It shows how divided Turkey is over the direction its Government are taking. These constitutional changes will transform Turkey’s parliamentary system of government into a presidential one, with vast executive powers. The elected President will become Head of State, Head of Government, head of the ruling power and head of the army, and the office of Prime Minister will cease to exist. After the elections on 24 June, the President will be able to call a state of emergency without the approval of the Cabinet, to issue decrees that bypass Parliament and to appoint more judges than ever before. Although the new constitution limits a President to two terms in office, it is possible for a President to seek a third term in certain circumstances. That means President Erdoğan could remain in office until 2029. The Centre for American Progress has said:

“When the president’s party holds a parliamentary majority, checks on presidential power would be virtually nonexistent.”
These sweeping powers have serious implications for the independence of the judiciary and the rule of law, and they raise questions about whether the Turkish Government will sustain a genuine democracy. This is a worrying preview of the sort of harassment and intimidation we can expect in the weeks before and after elections on 24 June.

**Dr Julian Lewis** (New Forest East) (Con): The right hon. Lady is making an excellent speech. It would be bad enough if these developments were happening in an ideological vacuum, but they are not. Does she agree that this is not just a power grab on the Putin model in Russia but a power grab that is allied to the dismantling of Turkey’s former reputation as the model state where there could be a Muslim society where religion was kept separate from politics? All that, too, is being put into reverse.

**Joan Ryan**: I agree with the right hon. Gentleman on that. The struggle since the first world war has been to move Turkey to a secular democracy. It is not very long ago, some 10 or 15 years, that we were all excited about the developments in Turkey and about it becoming a European Union accession country. It is sad to see where Turkey is today, but more than that the situation is very threatening, not just for its own population but much more widely—to Europe, to the UK and across the middle east.

Turkey’s state of emergency was extended for the seventh time on 18 April, despite warnings from the European Parliament in February that “the state of emergency is currently being used to silence dissent and goes far beyond any legitimate measures to combat threats to national security”. When the attempted coup took place in July 2016, Turkish citizens from across the political spectrum took to the streets to defend their democracy. It is a supposedly temporary state of emergency. President Erdoğan said: “This measure is in no way against democracy, the law and freedoms”.

He continued: “On the contrary it aims to protect and strengthen them.” At the same time, he also suspended the European convention on human rights, in line with article 15 of the convention, which allows for derogation from the convention in times of public emergency. However, that does not give states the right to suspend their commitment to international human rights obligations.

**John Howell** (Henley) (Con): I take the right hon. Lady’s point about the suspension of human rights, but is she aware that the number of appeals to the European Court of Human Rights from Turkish citizens has gone through the roof?

**Joan Ryan**: I am certainly not surprised to hear that. I expect the situation to get worse because, as we know, the suspension of the commitment to the international human rights obligation does not ever permit the use of torture, yet that is precisely what has happened. In the words of Human Rights Watch, President Erdoğan “unleashed a purge that goes far beyond holding to account those involved in trying to overthrow” the Turkish Government. The UN special rapporteur on torture found that “torture was widespread following the failed coup”.

Non-governmental organisations reported that there were 263 incidents of torture in detention in south-east Turkey in the first quarter of 2017 alone. The level of complaints and representations being made is therefore no surprise.

Thousands of Turkish citizens, particularly members of the Kurdish and Alevi communities, have been arrested and persecuted by the very Government they sought to protect. In March 2018, the United Nations High Commissioner for Human Rights found that nearly 160,000 people had been arrested during the state of emergency. Civil servants, police officers, teachers, academics, and members of the military and judiciary have been detained or dismissed from their jobs, often without reason. The speed of the arrests was so alarming that in 2016 the EU Commissioner for Enlargement and European Neighbourhood Policy, Johannes Hahn, stated: “It looks at least as if something has been prepared”, in reference to lists of arrests being prepared before the attempted coup even took place.

On the first anniversary of the attempted coup, President Erdoğan announced that he would approve “without hesitation” the death penalty if the Turkish Parliament voted to restore it. If that happened, we would have no choice but to draw a line in the sand, and such authoritarianism would in effect end Turkey’s bid to join the EU. What a backward step that would be.

**Dame Cheryl Gillan**: Does the right hon. Lady also appreciate that if Turkey re-imposed the death penalty, that would put its Council of Europe membership in total jeopardy?

**Joan Ryan**: I thank the right hon. Lady for that contribution. It is at least reassuring that there will be some reaction to these measures, but we need from our own Front Benchers a reaction that is a little stronger than anything we have seen so far, because it has been very disappointing.

Throughout Turkish society, freedom of speech and expression has come under sustained attack. Amnesty International reports that more than 1,300 NGOs—including groups that assist displaced children and that support survivors of sexual assault—have been shut down for unspecified links to terrorist organisations. The United Nations High Commissioner for Human Rights has said that the Turkish Government’s emergency powers are being used to “stifle any form of criticism or dissent vis-à-vis the Government.”

According to the Committee to Protect Journalists, Turkey is now the biggest jailer of journalists in the world, and more than 300 journalists have been arrested since the attempted coup. The Council of Europe’s Venice Commission has described the closure of more than 180 media outlets as the “mass liquidation” of television and radio stations, newspapers and publishers. In the words of Reporters Without Borders, the stark truth about the current situation is that President Erdoğan “now has complete control of the media in the run-up to general elections in 2019. Amid an unprecedented crackdown on civil society and the political opposition, only a handful of low-circulation newspapers still offer an alternative to the government’s propaganda.”

It is a stranglehold.
The crackdown on the media has taken place alongside a severe crackdown on Opposition parties. In December 2017, all 60 Members from the main Opposition party, the Republican People’s Party—the CHP—were put under investigation for “defaming and insulting the presidential post, the Turkish nation, state and its institutions”.

Both CHP leaders—Kemal Kılıçdaroğlu and CHP presidential candidate Muhtarre Ince—have issued statements to say that they believe that their phones have been illegally wiretapped by Erdoğan’s supporters.

As of 13 June, at least 136 officials from the pro-Kurdish People’s Democratic party—the HDP—had been detained and 14 arrested. HDP leader Selahattin Demirtaş, who is running for President, has been imprisoned since November 2016. The HDP has also reported, as I have said, that polling stations are being moved from villages where the party has strong support to neighbouring villages where the AK party has strong support.

This crackdown has affected all areas of civil society, but the Kurdish and Alevi communities in particular have suffered targeted and sustained harassment. They are deeply worried that their communities may be intimidated during and after the election period. In my capacity as chair of the all-party group for Alevis, I have received numerous reports that Kurdish and Alevi neighbourhoods have been harassed by the Turkish Government and supporters of President Erdoğan’s AK party. That intensified following Turkey’s assault on the predominantly Kurdish region of Afrin in Syria earlier this year, when hundreds of people were detained for voicing criticism of the military operation on social media. Such flagrant restrictions on freedom of expression served only to weaken Turkish democracy and civil society. There can be no justification for the oppression of communities on the basis of their religious or cultural identity. The Kurdish and Alevi communities that have made the UK their home are looking to us as Members of Parliament to speak out against these abuses.

I was extremely disappointed to see the Prime Minister welcome President Erdoğan to the UK with open arms just three weeks ago. Aside from Bosnia, we are the only European country to have hosted President Erdoğan during the election period. Germany, the Netherlands and Austria all banned him from holding political rallies in their territories. I have no doubt that President Erdoğan’s photographs with the Prime Minister and with Her Majesty the Queen will be used for his own election propaganda. My constituents, many of whom make up the 80% of British Turks who voted against last year’s constitutional referendum, expected the Prime Minister robustly to address Turkey’s growing authoritarianism in her joint press conference with the President. Instead, concerns about human rights and the political situation were alluded to only at the very end of the statement, after details of the UK and Turkey’s growing trade relationship had been announced at some great length.

The Kurdish constituents to whom I have spoken were also deeply shocked and insulted to read that the only reference the Prime Minister made to the Kurdish people was in relation to the “extraordinary pressures” Turkey was facing from Kurdish terrorism. That is an inflammatory remark and it could be interpreted that the Prime Minister views all Kurds as terrorists.

Dr Julian Lewis: In fairness to Turkey, it must be said that, in years gone by, there were huge numbers of civilian casualties caused by some Kurdish terrorist movements, but our Government have chosen to support Kurdish fighters against ISIL-Daesh and we are entitled to expect some consistency. If Kurdish fighters are to be supported against the terrorists of ISIL-Daesh, surely Kurdish civilians should be supported against political oppression as well.

Joan Ryan: I absolutely agree with the right hon. Gentleman, and he pre-empts a few comments that I am going on to make.

There is a vital distinction to be made between the actions of proscribed organisations and the peaceful law-abiding Kurdish community. To add further insult to injury, the Prime Minister, in her press conference, also failed to mention the crucial role that the Kurdish people should play in securing the political settlement in Syria—an issue of utmost importance to Turkey, the UK, Europe and the middle east—yet in a letter to me in 2016, the previous Prime Minister acknowledged the “great courage and skill” shown by the Kurds and the extraordinary sacrifices they made on the frontline in the fight against Daesh. He also recognised that the Kurds will play a critical role in any political settlement in Syria. Today, I call on the Government to reaffirm their support for the Kurdish people and to recognise their fundamental rights and freedoms.

The Prime Minister said in her statement with President Erdoğan on 15 May that, in the defence of democracy, Turkey must “not lose sight of the values it is seeking to defend.” I believe that the Government and the Prime Minister are, in fact, paying lip service to these values. It is clear that the UK is putting trade before human rights, which flies in the face of the values that we should be seeking to promote and defend. We cannot turn a blind eye to President Erdoğan’s growing authoritarianism and his crackdown on fundamental human rights. By failing to hold him to account, the situation in Turkey is being allowed to get worse.

As the UN High Commissioner for Human Rights has said, there is a “constantly deteriorating human rights situation, exacerbated by the erosion of the rule of law.” I urge the Government to hold President Erdoğan to account by calling for him to implement the key recommendations of the UN High Commissioner for Human Rights, including to “end the state of emergency and restore the normal functioning of institutions and the rule of law…revise and repeal all legislation that is not compliant with Turkey’s international human rights obligations, including the emergency decrees”, and to enforce a zero-tolerance policy on the use of torture.

I look forward to the Minister’s response and his assurances that this Government are committed to supporting democracy, human rights and the rule of law in Turkey.

3.31 pm

Paul Masterton (East Renfrewshire) (Con): I congratulate right hon. Member for Enfield North (Joan Ryan) on securing this debate. I had not realised that it was quite
so long since this place had had such a debate on Turkey. Considering what has been happening in the country over the past five or 10 years, that is somewhat remarkable. Today provides a long overdue opportunity for us to air some of the issues Turkey is facing, particularly given the upcoming early elections.

Like many, I have watched with disappointment as President Erdoğan’s Turkey has in recent years slipped towards illiberalism, hard-line nationalism and authoritarianism. I am disappointed not just for Turkey, but for the wider region and for global stability. Turkey is such a key country in terms of its placement. As neighbour to the Balkans, the Caucasus and the middle east, Turkey is a deeply important and influential country. Issues that arise in Turkey can frequently overshield into its neighbours. There is no question that an open, stable and democratic Turkey, with a strong and mature civil society, has the potential to be not only a strong ally, but a beacon of liberal democracy to its many neighbours.

Unfortunately, the trend towards illiberalism has accelerated since the failed coup attempt in 2016, which has been used by the Erdoğan Government as an opportunity to consolidate power and silence critics. Entire newspapers have been hijacked and eventually shut down altogether by the Government. Journalists continue to be arrested and jailed at a rate not seen anywhere else in the world. Over 1,000 companies have had their assets seized, and thousands of judges, teachers and other officials have been fired or detained. Even Wikipedia has been blocked.

Following this, Erdoğan has pushed through constitutional changes granting himself sweeping powers as President, with the changes approved in a referendum that has been blasted by the Council of Europe, the Organisation for Security and Co-operation in Europe and the opposition. This summer’s snap elections—should President Erdoğan win—will be the final piece in the puzzle entrenching him in power beyond the Turkish Republic’s centenary in 2023. It is important to remember the symbolism of 2023, not just because of the centenary celebrations, but because it would mark 20 years since Erdoğan took office and the conclusion of his flagship 2023 vision—a set of economic and political goals for Turkey to have achieved by that year.

Worryingly, Erdoğan’s response to the economic crisis that has completely derailed any progress towards meeting those 2023 vision goals has been to spread conspiracy theories and anti-Semitic rhetoric. Erdoğan is no stranger to anti-Semitic conspiracy theories. He has blamed Israel for the overthrow of President Morsi in Egypt, called a protestor “spawn of Israel” and complained that the Turks are “accused of being Jews, Armenians, or Greeks”.

More recently, Erdoğan has sought to blame virtually all setbacks or criticisms on what he calls the “mastermind”—those who are apparently behind the 2016 coup, the Gülen movement, ISIS, the PKK and Turkey’s ongoing financial crisis, all as part of an attempt to overthrow him and destroy Turkey. While he is generally vague about who the mastermind is, or are, there are clearly strong anti-Semitic currents running through this ultra-nationalist conspiracy theory. For example, during the election campaign, Erdoğan has blamed the devaluation of the lira on “some Jewish families”.

This is a deeply regrettable turn of events in what had been, in the past, one of the most open and tolerant countries in the region. The undoing of this work in recent years has been tragic and cannot bode well for the future of Turkey or its neighbours. As the right hon. Lady suggests, this poses a threat. Erdoğan has allied with an ultra-nationalist party to force through his constitutional reforms and now these snap elections, arrested most of the leaders of the main pro-Kurdish party and overseen the collapse of the solution process with the PKK.

In 2013, it emerged that Erdoğan’s Government were secretly coding people of Greek, Armenian, and Jewish ancestry in population registers. Just months ago, Erdoğan fuelled nationalist paranoia even further by making this genealogy database publicly available, which, perhaps unsurprisingly, has led to some quite violent attacks online, in the media and on people in the street. The service allows Turks to find out whether their ancestors were, for example, Greeks or Armenians who had passed themselves off as Muslim Turks 100 years ago to save their lives and homes.

Nationalism is resurgent; conspiracy theories are widespread; and the Government are fuelling anti-Semitic tropes. I hope, but do not expect, that despite the pattern of recent years, Turkey can change course once again. I hope, but do not expect—despite the best efforts of my right hon. Friend the Member for Chesham and Amersham (Dame Cheryl Gillan)—that the elections will be free and fair. However, I suspect that if anyone can manage that, she probably can. I certainly would not want to mess with her.

Given its location, a strong, liberal and democratic Turkey could be a great force for good in the world, standing for stability and human rights and against terrorism in all its forms. I therefore hope and expect that the Government will maintain their commitment to strong relations with Turkey—an absolutely key NATO ally and trading partner—while not being afraid to make criticisms where they are merited. The right hon. Member for Enfield North has a point in saying that the Government’s response to some of the things that have been going on has not been strong enough. I do think that slightly stronger language would have been possible and merited, because our commitment to promoting human rights and liberal democracy worldwide has to be absolute—not just in Turkey, but right around the world.

**Madam Deputy Speaker (Mrs Eleanor Laing): I call Ann Clwyd.**

3.36 pm

Ann Clwyd (Cynon Valley) (Lab): Thank you very much for calling me, Madam Deputy Speaker. I was half asleep, but not because I disagreed with anything I have heard so far. It has been very nice to be in the Chamber and agree with Members on the Government Benches on this issue.

I am a very old friend of Turkey. I first went there when I was a Member of the European Parliament in 1983-84. I went to Istanbul on behalf of Amnesty
International to monitor the trials of members of the Turkish Peace Association—the Turkish equivalent of the Campaign for Nuclear Disarmament. Anybody who was involved in it was put on trial and put in jail. One of my colleagues’ nephews lived in London and I was persuaded to go there for the trials. Then, of course, there was a military dictatorship in charge. It was not a very pleasant experience monitoring the trials, but eventually all the people were freed, and I was pleased about that.

On another occasion I went to Turkey to see someone in jail—a young woman who had been jailed for a very long time, again under the military dictatorship. I was allowed to go to the prison. I spent about two hours talking to her there. Then the governor of the prison told me that she should not have been there in the first place. Of course, that did not stop her serving quite a long term in jail.

My next involvement with Turkey was as a member of the Inter-Parliamentary Union; I chaired its human rights committee, which met in Geneva. We were dealing with the human rights of parliamentarians. One of the countries that was in trouble for killing, disappearing or keeping in jail its Members of Parliament was Turkey. Members of Parliament from Turkey appeared before our committee, and we had robust discussions with them on the subject. Luckily, all those people were eventually freed from jail.

Over the years, I have had quite an interesting association with the country. I have many friends there, and I go there occasionally on holiday. As a friend of the country, it pains me to make these criticisms today, but as a true friend, I have to make them in any case. I would like to thank my right hon. Friend and the hon. Member for East Renfrewshire (Paul Masterton) for securing this important debate. We do not have enough opportunities to discuss the situation in Turkey, and we should be able to do so.

The situation in Turkey is quite tragic. I implore the Turkish Government to change tack before it is too late and things deteriorate further, to the detriment of all Turks, the region, the UK and the wider international community. I also implore the UK Government to do more to challenge—both behind the scenes, as I am sure we all acknowledge, Kurdish forces in Syria having been one of the west’s most flexible, reliable and effective partners in its fight against Daesh.

It is in no way an exaggeration to say that people’s lives, livelihoods and dignity are being taken from them as a result of the actions of the present Turkish Government. To hold a general election during a state of emergency is most regrettable, but on top of that, a number of Members of Parliament have been detained and prosecuted, including Selahattin Demirtaş, the leader of the opposition Peoples’ Democratic party—the HDP—who is running for the presidency from his prison cell. At the present count, about 10 MPs have already been sentenced, including a number of HDP Members of Parliament. I understand that they have received sentences ranging from two years to 10 years. Enis Berberoğlu of the Republican People’s party—the CHP—has been jailed for almost six years, reduced on appeal from 25 years, for disclosing Government secrets after he gave an opposition newspaper a video purporting to show Turkey’s intelligence agency trucking weapons into Syria.

In addition, according to the Turkish Journalists’ Association, there are at the moment—it varies from week to week—about 160 journalists in jail, which is more than in any other country in the world, and prosecutions are taking place. Independent organisations have been shut down, according to Human Rights Watch. Hundreds of media outlets, associations, foundations, private hospitals and educational establishments that the Government have shut down by decree remained closed in 2017, having had their assets confiscated without compensation.

Dr Julian Lewis: The right hon. Lady is painting a worrying picture of detentions. I recall that in the aftermath of the coup, and for a considerable time afterwards, we constantly heard reports of tens of thousands of people being arrested. We know that huge numbers of people were arrested en bloc, but can she share any information with the House about whether a significant proportion of those have been released?

Ann Clwyd: That was to be my very next line. Tens of thousands of people are under arrest, and some 150,000 people were sacked or suspended from their jobs in the aftermath of the failed coup. Police, military personnel, teachers, academics, judges, lawyers and other public servants have been among those caught up in the crackdown, and they include friends of mine. Some of those academics, for example, have no idea why they have been arrested. Fortunately, some have been released, but tens of thousands of people are still in jail and not quite sure what they are doing there at all.

The chair of Amnesty International in Turkey, Taner Kılıç, remains in prison a year after being arrested and charged with membership of the Fethullah Gülen terrorist organisation. His arrest was based on the false allegation that he downloaded ByLock, a messaging app that the authorities say was used by the followers of Gülen, which the Turkish Government hold responsible for the July 2016 coup attempt. No credible evidence has been presented to substantiate that claim. Mr Kılıç’s next hearing is set for 21 June, and if found guilty he could face up to 15 years in jail.

Those who have criticised the Government, whether in connection with Turkish military operations in Afrin in Syria, the activities of Turkish security forces in the south-east of the country, actions taken in response to the attempted coup, or alleged corrupt practices, are labelled and pursued as traitors or subversives. We should be in no doubt that political opposition in Turkey has now been criminalised, and we must therefore question whether free and fair elections can be held.
under such circumstances. We must also question the direction of travel of the current President and his party, and we must be in no doubt that the actions undertaken by the Turkish Government cannot be viewed as a legitimate and proportionate response to the attempted coup in July 2016.

Let me remind the House of the findings of the Foreign Affairs Committee, on which I sit. In its March 2017 report on the UK’s relations with Turkey it stated that: “we disagree with the FCO’s implication that the severity of the measures undertaken by the Turkish government after the coup attempt is justified by the scale of the threat...Despite the severity of the threat posed to Turkey by terrorism and the coup attempt, the scale of the current purges—"

we did use that word—

“means that we cannot consider them to be a necessary and proportionate response. The number of people who have been punished is extraordinary, and their means of redress are inadequate.”

We should be in no doubt that a country with such serious, systematic and flagrant abuses of human rights is unlikely to prosper in the long term. I say that having followed the political trajectories of many countries across the world, and having seen that appalling human rights violations almost always result ultimately in instability, growing conflict and financial turmoil, as well as in the relevant leader’s downfall and that of those around him.

I would also like to quote, as my right hon. Friend the Member for Enfield North did, the UN High Commissioner for Human Rights, Zeid Ra’ad Al Hussein, who said about the Turkish elections:

“It is difficult to imagine how credible elections can be held in an environment where dissenting views and challenges to the ruling party are penalised so severely.”

He went on to say:

“Elections held in an environment where democratic freedoms and the rule of law are compromised would raise questions about their legitimacy”.

In addition, it has been highlighted that in the run-up to the elections, Opposition candidates are likely to find it difficult, as my right hon. Friend said, to find media outlets willing or brave enough to publish or broadcast their speeches, in contrast to President Erdoğan’s complete hold over the airwaves which allows his and AKP’s message to dominate.

If there is an Erdoğan-AKP win, I fear we are likely to see a clampdown through the use of enhanced presidential powers granted via the adoption, narrowly and controversially last year, of constitutional amendments by referendum. International observers said the whole process was deeply flawed, with Opposition voices muzzled and rules changed at the last minute. The changes adopted would, among other things, restart the clock on President Erdoğan’s term limit, meaning he could lead the country well into the next decade.

More generally, according to Human Rights Watch cases of torture and ill-treatment in police custody were widely reported throughout 2017, especially by individuals detained under the anti-terror law, marking a reverse in long-standing progress despite the Turkish Government’s stated zero tolerance for torture policy. There were widespread reports of the police beating detainees, subjecting them to prolonged stress positions, threats of rape, threats to lawyers and interference with medical examinations. There is also an entrenched cultural impunity for abuses committed by the security forces. According to Amnesty International, in the face of extreme political pressure, prosecutors and judges were even less inclined than in previous years to investigate alleged human rights violations by law enforcement officers or to bring them to justice. Intimidation of lawyers, including detentions and the bringing of criminal cases against them, further deterred lawyers from bringing criminal complaints. Amnesty International has concluded that it seems likely that human rights violations will continue as long as the state of emergency continues.

Given the actions of the Turkish Government inside and outside the country, I ask the UK Government to review as a matter of urgency their approach to Turkey, including their continuing arms sales to that country. With Turkey a priority market for British weapons, UK weapons sales since the attempted coup include a $667 million deal for military electronic data, armoured vehicles, small arms, ammunition, missiles, drones, aircraft and helicopters. They also include a $135 million deal for BAE Systems to fulfil Erdoğan’s plan to build a Turkish-made fighter jet.

Ideally, Turkey would continue to be a close UK ally, as we could—indeed, we really need to—work together on so many matters of mutual interest. I do not deny that there are matters on which the UK will need to continue to liaise closely with Turkey, in particular in connection with the refugee crisis. Turkey, to its credit, has taken in millions of refugees, most of them from war-ravaged Syria, and provides many refugee children with an education. However, the UK Government have to ensure that they do not become complicit or are wilfully blind in their dealings with that country. Given the lack of shared values at the moment, if the situation in Turkey deteriorates even further, there will be unfortunate consequences that will have a negative impact on us all. I am very glad that the right hon. Member for Chesham and Amersham (Dame Cheryl Gillan) will be an election observer. That is very important. I hope that she is joined by other colleagues from this Parliament, because it is important that our presence is seen there, along with the OSCE monitoring mission.

I also note that the Foreign Affairs Committee recommended that the FCO designates Turkey as a human rights priority country in its next annual human rights and democracy report. I hope that we will see that when the FCO launches the next report shortly.

I conclude with one of the Foreign Affairs Committee report’s most pertinent recommendations:

“When defending human rights, the UK must be both seen and heard. Discretion is sometimes necessary for impact, and private behind-the-scenes meetings will also play an important role in the UK’s influence on human rights in Turkey, but the FCO must be prepared to raise its concerns about Turkey with the Turks publicly. Currently, by giving human rights insufficient prominence in its dialogue with Turkey, the UK risks being perceived as de-prioritising its human rights values. If that impression is sustained, then it would damage the UK’s international reputation and not serve the protection of human rights in Turkey; or the population of that country.”

3.57 pm

John Howell (Henley) (Con): It is a great pleasure to follow the right hon. Member for Cynon Valley (Ann Clwyd). I congratulate the right hon. Member for Enfield...
North (Joan Ryan) on securing the debate. She and I often follow each other around this place and outside it trying to make sure that Israel gets a fair view. It is an extreme pleasure for me to be able to say that our co-operation in that area also extends to Turkey, although I wish to park the Israel allegations that have been made for a moment.

It is very difficult to have a debate on Turkey that does not mention the Council of Europe, which was set up to look after democracy, the rule of law and human rights. It is the pre-eminent body in Europe for dealing with human rights, yet not once has its role been mentioned in all this. There are two reasons why we should stress the role of the Council of Europe. The first is that pre-eminence, to which Turkey has already signed up. It may have suspended the European convention, but it ratified that as long ago as 1954. It showed a willingness to participate in it up until the last few years, when it has engineered a dispute with the Council of Europe over funding. It has refused to be what is termed a “grand payeur” of the Council, really to stop its role being criticised and its human rights record being attacked.

As for the second reason, I know that the Council of Europe is often criticised for being just a talking shop, but boy do we need a talking shop where we can talk to MPs from other countries as much as we do now, and the body provides that for us. It is worth pointing out that all our political groups in the Council of Europe have Turkish members. It is incredibly useful to be able to sit down with them and talk off the record about the situation in Turkey so that we can get a good view of that.

Dame Cheryl Gillan: I put on record the esteem in which my hon. Friend is held in the Council of Europe by many of our colleagues in the 47 member countries as a result of his numerous and valuable contributions to our debates during the plenary sessions. Does he agree that one of the Council’s most important missions has been to bring about the abolition of the death penalty, which was mentioned by the right hon. Member for Enfield North (Joan Ryan)? Its success is shown by the fact that there have been no executions in those 47 member states for the past 10 years, and for that record to be broken by a member state, as Turkey is, would be beyond contemplation.

John Howell: I completely agree with my right hon. Friend. The issue of the death penalty is key to retaining membership of the Council of Europe. We are engaged in a debate with Belarus, because the existence of the death penalty there prevents it from becoming a member of the Council. If Turkey were to adopt the death penalty again, it would automatically cease to be a member.

It is important that we maintain relationships with Turkey through our political groups at the Council of Europe. That is one of the most useful facilities that the Council provides.

We have already heard that my right hon. Friend will be going to Turkey as an election monitor, and such monitoring is a crucial role provided by the Council. It will not be the representatives of just one political party who will be going, but representatives across the political parties. I know that the right hon. Member for Enfield North has given my right hon. Friend some pointers about what to look out for, but I wish her luck. I wish all that it is possible to wish that she will be able to gain a fair view that the elections are in the spirit of democracy, the rule of law and human rights.

In an intervention, I mentioned appeals to the European Court of Human Rights, which is an essential component of the Council of Europe. In fact we elect its judges, and, incidentally, we have a phenomenal record of success. It must be recognised, however, that appeals to the Court have gone through the roof because individuals are taking their cases there. Some 160,000 people have already been arrested and 152,000 civil servants have been dismissed, as well as teachers, judges and lawyers. Those are the people who are taking their cases to the Court.

I have a great deal of sympathy for Turkey’s role in helping us in the fight against terrorism, and I do not think we should ignore the enormous consequences of terrorism for the territorial area that it represents. However, if we are to support Turkey in that regard, it will be crucial that it shows it can fulfil its human rights obligations. The legal measures that need to be undertaken during the state of emergency must be proportionate and justified. They must be in line with the principles of democracy that Turkey has established for itself, and they must also be in line with its promise to the Council of Europe that it will fulfil the obligations of a member country.

I finish by pointing out that something close to 2,000 organisations have already been permanently closed by the Turkish Government. They include human rights organisations, lawyers associations, foundations and other NGOs. More than 100,000 websites have reportedly been blocked in Turkey, including many pro-Kurdish websites, as well as satellite television stations. This does not speak well of Turkey’s attitude to fulfilling its Council of Europe obligations, or those that it has made to us as a NATO partner and ally. I urge the Government to put pressure on Turkey to fulfil those obligations.

Joan Ryan: I would just like to add one thing to the hon. Gentleman’s important contribution. He will be aware that the UN High Commissioner for Human Rights has, in the key findings of his report, identified the use of torture and ill treatment in custody, including severe beatings, threats of sexual assault, actual sexual assault, electric shocks and waterboarding by police, gendarmes, military police and security forces. That is a very long way from recognising and adhering to human rights.

John Howell: I agree with what the right hon. Lady says about the UN’s assessment. When Turkish citizens have brought cases to the European Court of Human Rights, it has invariably found against the Turkish Government. If I had the papers on me, I would be able to provide quotes from its judgments that align with her comments.

In conclusion, I urge the Government to take a strong line in making sure that Turkey fulfils its obligations to the Council of Europe and its promises to us as well.

Madam Deputy Speaker (Mrs Eleanor Laing): I call Jim Shannon.
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hon. Member for Enfield North and others mentioned.
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perhaps becoming a big player—if it has its own way—but
this: it runs with the hare and hunts with the hounds .
Turkey . As a country sports enthusiast, I came up with
FORB.
I was trying to think of an analogy that might sum up
Turkish freedom of religion and belief, as
known—I am deeply worried about developments in
be taking place when a state of special control is in place across
As chair of the all-party group for international freedom of religion or belief—FORB, as it is better
I am deeply worried about developments in Turkey in respect of freedom of religion and belief, as
as well as the associated freedoms of expression, association and peaceful assembly.
I am pleased to see the shadow Minister and Minister in the Chamber because both of them are well versed in this matter. I hope that both their contributions will effectively bring together all our points of view. I want to discuss some of the vital issues of concern, particularly the crackdown on human rights and civil society in Turkey that followed the 2016 coup attempt. I shall then move on to the specific restrictions on the right to FORB.

I was trying to think of an analogy that might sum up this: it runs with the hare and hunts with the hounds. Turkey fraternises with the USA and NATO, and also Russia and Syria, and it seems to play one off against the other. The situation worries me greatly. We have a nation that seems to be finding its own way and is perhaps becoming a big player—if it has its own way—but we must remember that it has been an ally in the past and is an ally within NATO as well.

The Turkish Government’s response to the 2016 coup attempt significantly damaged Turkey’s human rights protection framework and tightened that Government’s control over all aspects of Turkish society, as the right hon. Member for Enfield North and others mentioned. In the aftermath of the coup, the Turkish Government dismissed some 150,000 public servants from their jobs—their only crime was that they had a different opinion from that of President Erdoğan. Disgracefully, more than 1,200 schools were also shut down in a blatant, concerted attack on education and opportunity for children young and old. Some 15 universities and 185 media outlets were also shut down, and 73 journalists were arrested, with a further 250 Turkish journalists having to flee the country for fear of arrest and persecution. According to the Committee to Protect Journalists, Turkey arrested the highest number of journalists of any country in 2017. There has been a significant clampdown on media expression. When authorities control the media in the way that Turkey’s do, they control what happens and what people hear across the entire country. The independence of academics in Turkey has also been curtailed greatly after the attempted coup; over 6,500 academics lost their positions and hundreds of them were imprisoned.

Those people would all have expressed concern about Turkey’s human rights abuses. If this debate were happening in Turkey, each one of us in this Chamber would have been arrested and put in jail—we would not be able to express ourselves as we have done. We are taking the opportunity in this House, in the seat of democracy, to express ourselves on behalf of those in Turkey who do not have that right—politicians and those involved in political parties who are sitting in prison and do not have the right to express themselves. They cannot conduct election campaigns, knock on doors or speak to people.

As well as these other groups, many human rights defenders have been arrested and charged with membership of terrorist organisations, including the head of Amnesty International in Turkey. This has had a chilling effect on human rights and religious freedom advocates working in the country. According to the US Commission on International Religious Freedom, many religious minority groups have maintained a low profile and have largely ceased pursuing their previous long-standing demands for fear of being arrested or put in prison, so they cannot even express themselves in the way they have before because they are restricted.

Of course, the Turkish Government justify their crackdown on human rights and the unjust jailing of thousands of public officials, academics, journalists, politicians and human rights defenders by saying that is necessary to fight terrorism. I agree that they have been on our side in fighting terrorism, but they cannot use the same rules to clamp down on their own citizens and to restrict the rights and freedoms they had beforehand. Unfortunately, such disregard for a country’s own citizens is often counterproductive. As we have heard, history shows that those countries that do such a thing will feel the wrath of the people at some point, and I think Turkey’s day is coming—it will not just be turkeys for Christmas; it will be Turkey’s day for other reasons. That is because the public’s willingness to co-operate with authorities to combat terrorism can be lost if their human rights are violated by those same authorities. Moreover, human rights violations can create the grievances that drive people to take up arms against the state, so Turkey needs to be very careful about what it is doing internally.

The second issue I would like to discuss is the FORB situation in Turkey specifically. There is simply not enough time to go through all the freedom of belief issues in Turkey that cause me and the all-party group significant concern. Funding for non-Muslim houses of worship remains very limited in comparison with funding for Sunni mosques. Anti-Semitism continues to be a problem for Turkey’s Jewish community, and there are significant reports of Protestant churches being vandalised and pastors being targeted with hate speech via text message, Facebook and email. We have brought those issues to the House in the past.

The European Court of Human Rights has made many judgments on these and other long-standing issues, which have not been addressed by the Turkish Government. Those issues include the right to conscientious objection to military service—meaning that those who do not want to serve would have the opportunity to say no—and the right to raise one’s children in line with one’s religious or philosophical views. Is that wrong? It seems to be in Turkey. They also include the right to establish places of worship—when people want to establish or build a
church, whether a house church or a physical church, they are denied that right—and the right not to disclose one’s religious beliefs. In the all-party parliamentary group for international freedom of religion or belief, which I chair, we speak up for those with Christian beliefs, with other beliefs and with no beliefs. In other words, we speak for all those people in Turkey whose freedoms are being denied.

Other fundamental issues include the difficulty that religious communities face in providing formal religious education and training for their clergy and followers, and the impossibility of their obtaining independent legal status. Independent legal status for churches and their related educational institutions is totally restricted in Turkey. Even the Sunni Muslim community is not allowed to be independent from the state. It is controlled by the Diyanet, which is part of the Prime Minister’s office. This is another example of an autocrat taking control over everything that happens in Turkey, and it is something about which I and other Members here have spoken out strongly. These issues have been extensively documented by human rights organisations such as the Norwegian Helsinki Committee, the Freedom of Belief Initiative and Forum 18. The United Nations is also concerned about them, but we do not see anything happening. We just see an autocratic leader in President Erdoğan pursuing a singular and blinkered policy to deny people their rights.

Another critical freedom of religion or belief—FORB—issue I would like to discuss is education in Turkey. Primary and secondary school students in Turkey are required to complete the religious culture and moral knowledge course, which is rooted in Islamic principles and which Turkish officials claim is necessary to raise law-abiding and moral Turkish citizens. They deny all the other religions their rights, but they are happy to impose a course that tries to nurture, focus and singularly point towards what they want. In 2014, the European Court of Human Rights held that the course should not be compulsory, as the classes “do not respect parents’, guardians’, and pupils’ freedom of religion or belief.”

The Government have yet to comply fully with that ruling. Is it not time that they did so? Is it not time that Turkey listened to the United Nations? Is it not time for it to start giving freedoms and rights to its people, just as other countries across the world do?

The situation regarding FORB and education in Turkey is likely to worsen in the coming years, as the curriculum in Turkey’s public schools is set to change in 2018. This will mark another critical and singular change. According to numerous human rights reports, the education ministry has revised more than 170 curriculum topics in an effort to raise what President Erdoğan has called a “pious generation” of Turks—a generation of people who will know nothing other than what the President tells them. What a society that would be if everyone thought the same things, dressed the same way and ate the same food? Imagine how it would be if everyone wore the same uniform and did the same job. What a terrible place that would be.

The ministry will remove evolutionary concepts such as natural selection, and critics claim that lessons on human rights, gender equality and openness towards various lifestyles will also be altered. North Korea will pale into insignificance if President Erdoğan has his way. This is a concerning development for all of us who believe that education should be used not to foster divisiveness but rather to open minds and broaden horizons, to teach respect and love for one another, and to inspire genuine curiosity and the search for truth. That is what education is about. It is about acquiring a vast amount of knowledge in order to advance ourselves and create opportunities.

I am also immensely concerned about how the Turkish Government have treated the Kurds. Their situation is totally unacceptable, and I hope that the United Nations will—[Interruption.] Okay, Madam Deputy Speaker, I am coming to the end of my speech. I shall sum up.

Since the 2016 coup attempt, the Turkish Government have been systematically attacking civil society and trying to replace it. They have created a new media, a new deep state, a new code of conduct based on nepotism and a system that revolves around one man, in which the violation of Turkey’s international human rights obligations is worryingly commonplace, unquestionable and unjustifiably arbitrary. Thousands of Turkish citizens have been imprisoned, including many who have stood up for the rights of their countrymen and women.

FORB in Turkey has also been on a downward trajectory. The proposed changes in the educational curriculum and the failure to implement many of the judgments of the European Court of Human Rights ensure that Turkish religious or belief groups will continue to have their article 18 right to FORB denied. I call on the British Government to publicly and privately urge the Turkish Government to implement their binding international human rights obligations. If those obligations are met, Turkish people will be free to make their own choices about their own society, in regard not only to elections but to the exercise of their rights to the freedoms of religion and belief, expression, association and peaceful assembly. If that happens, Turkey can be part of a vision for the world; if it does not, it will be going backwards, and we have to make sure that it cannot do that.

4.19 pm

Dame Cheryl Gillan (Chesham and Amersham) (Con): It is always a pleasure to follow the hon. Member for Strangford (Jim Shannon). I bow to his great skill; he gets more words into a minute than any other human being I have ever met. The speed with which he speaks is quite enviable.

Before the Front-Benchers start to speak, it might be useful if I touch on what is happening with the Council of Europe election observer mission, because it has been mentioned so many times. The pre-electoral delegation, a precursor to the mission, has already taken place and a report is available. It was led by Olena Sotnyk, a prominent Ukrainian Member of Parliament, and included our own Lord Blencathra. I thought it might give some colleagues some comfort that we are approaching this matter with an open mind, but we are not unaware of some of the issues that have quite rightly been raised in today’s contributions.

The mission will be made up of 33 members and will observe the parliamentary and presidential elections, both of which are unusually being held at the same time under a state of emergency. The pre-election delegation met several organisations and interlocutors, including the head of the OSCE election observation mission,
cases, which could have a positive impact, particularly
the initiative of governors, restricting the notion of the
or merging of ballot boxes for security reasons at the
the validity of unstamped ballots, allowing the transfer
to be particularly problematic when it comes to recognising
administration of the elections. The provisions appear
and about the risk of Executive interference in the
weakens the safeguards in security and transparency
about the substance of the electoral registration that
such a short period of time. The observer mission has
inclusive and that they could not adequately prepare in
Opposition parties have pointed out that the process
that has been given in previous elections in T urkey . The
rules at the moment, and is contrary to the usual notice
with as a Council of Europe rapporteur on referendum
legislation and the holding of elections is really not in
harmonisation la ws were adopted even later . The short
the announcement of the elections, and the so-called
provisions appeared just one month before
the Venice Commission, which I am working
with as a Council of Europe rapporteur on referendum rules at the moment, and is contrary to the usual notice
that has been given in previous elections in Turkey. The
Opposition parties have pointed out that the process
that led to the introduction of the amendments was not
inclusive and that they could not adequately prepare in
such a short period of time. The observer mission has
already taken that on board.

Various other matters were raised, including concerns
about the substance of the electoral registration that
weakens the safeguards in security and transparency
and about the risk of Executive interference in the
administration of the elections. The provisions appear
to be particularly problematic when it comes to recognising
the validity of unstamped ballots, allowing the transfer
or merging of ballot boxes for security reasons at the
initiative of governors, restricting the notion of the
ballot area and increasing the chance of police being
present at polling stations. However, the observer mission
thought it positive that mobile ballot boxes had been
introduced, which could have a positive impact, particularly
on the political participation of people with disabilities.
However, the proviso is that there are suitable safeguards
in place to prevent abuse. An Opposition party has
challenged some provisions in electoral law before the
Turkish constitutional court, which is important to
note.

Most people to whom the delegation spoke in preparing
its pre-observation report underlined the state of emergency
and the limitations on freedom of expression and assembly
that have been introduced under its aegis, together with
the ongoing security operations in the south-east and,
as has been noted, the large number of politicians and
journalists who have been arrested, which will no doubt
have a negative impact on the elections. Of course, it is
of great concern that we hear that violent incidents have
already taken place during the election campaign.

Some Opposition parties brought up the interference
in their ability to campaign freely, and the HDP informed
the delegation that its presidential candidate, who we
now know is in pre-trial detention, cannot campaign.
That has already been noted and taken on board by the
observer mission.

The Parliamentary Assembly has regretted that the
previous recommendations relating to the funding of
election campaigns and political parties in Turkey have
remained unaddressed, and we will continue to pursue
that. The Parliamentary Assembly has also noted that
the legal frameworks in those areas require further
development in Turkey, and the delegation will be
encouraged to look at that. The great fear is that state
resources may be used by the ruling party in the context
of the campaign, which would produce an inequitable
situation.

There are concerns about the impartiality of the
ballot box committees in adequately managing the election.
Indeed, the pre-election report has not pulled its punches
in any way, so the observer mission is going in to
examine what happens on election day with a very clear
view of the backdrop against which these elections are
taking place.

The chairman of the Supreme Electoral Council has
said that all national and international observers will be
allowed to observe all steps of the electoral process,
including the counting of the vote and the tabulation of
the results, as well as a newly introduced procedure to
publish on the Supreme Electoral Council’s website the
minutes of each ballot box as they are received.

Provided parliamentary business allows us to attend, will try to
produce a good report on what we observe that puts
these elections clearly in context.

It is sweet that my hon. Friend the Member for East
Renfrewshire (Paul Masterton) says I am not someone
to be messed with, but he probably misunderstands the
nature of an election observer mission to another country.
I assure him that the international cross-section of
critics chosen to go on this mission, provided
parliamentary business allows us to attend, will try to
produce a report that is as honest and as objective as
possible in order to put these very important elections
in context.

Turkey is our friend. We are a friend to Turkey, and
Turkey is our ally, but a friend must not be afraid to be a
critical friend. We all need to improve, but we all need to
improve together.

4.29 pm

Douglas Chapman (Dunfermline and West Fife) (SNP):

I, too, wish to praise the right hon. Member for Enfield
North (Joan Ryan) for bringing this important debate
to the Floor of the House. The power of her speech was
such that the Minister will want to take heed of all the
major points she managed to squeeze into it. Many of
the other speakers who followed made equally powerful
and compelling points, and I hope that, given the agreement
across the Chamber on some of them, he will want to
address as many of them as possible in his summing up.

I welcome the opportunity to speak in this timely
debate, especially ahead of the upcoming presidential
and parliamentary elections in Turkey later this month.
There is mounting evidence to suggest that Turkey’s record on human rights since the attempted military coup in 2016 has been somewhat questionable. It is therefore important that the UK Government, in pursuit of closer relations with Turkey and in line with their plan to have a global Britain vision, put pressure on the Turkish authorities to ensure these elections are conducted freely and fairly. The Foreign Secretary must also urge President Erdoğan to reverse his decision to derogate from the European convention on human rights as soon as possible.

The report from the United Nations High Commissioner for Human Rights paints a less than rosy picture of the human rights situation in Turkey; since a state of emergency was declared in July 2016, the Government have conducted a widespread campaign of media clampdowns, arrests and dismissals. That has included the arrest of 300 journalists on the grounds that their publications contained “apologist sentiments regarding terrorism” or other “verbal act offences”, or for “membership” of terrorist organisations. Nearly 160,000 people have been arrested and 152,000 civil servants have been dismissed. That and the other findings of the UN report amount to an attack on civil society by a Government almost unprecedented in modern times. Although I and my Scottish National party colleagues unreservedly condemn attempts to overthrow democracy, such as the failed coup, we equally condemn any response that does not respect human rights or the rule of law. The Turkish Government have clearly used the coup to target their democratic opponents.

Let us not forget the Turkish Government’s treatment of the people of Afrin, in northern Syria, where their unprovoked, aggressive airstrikes have killed and injured hundreds of innocent civilians. Military action of this nature, in a place which has hosted more than 200,000 internally displaced people fleeing war-torn parts of Syria, should be strongly condemned across the international community.

Turkey’s derogation from the European convention on human rights is highly regrettable, and I urge the Turkish Government to reverse this decision immediately. Equally regrettable is the fact that the UK Government have also chosen to derogate from certain articles of the ECHR, and indeed have threatened to withdraw altogether. The UK, of all states, should lead by example, so I urge the Government to reverse their decision to derogate from articles 2 and 5 of the convention. They will then be in a position to call on President Erdoğan to do the same without reeking of hypocrisy.

For Turkey to move forward on to a solid democratic footing, it is vital that the upcoming elections are free and fair. As I said, the United Nations High Commissioner for Human Rights has expressed concern over the legitimacy of the elections should the state of emergency remain. Allegations of unfair media coverage by opposition candidates have led to questions over the integrity of the Turkish state body RTUK. Yet more concerning is the $6 billion incentives package recently announced by the AK party Government, including cash payments to pensioners, which some local commentators have understandably denounced as “election bribery”. In this context, it is difficult to foresee how credible the elections will be and how the results can be accepted, and what an illegitimate result will mean for Turkey’s future.

Despite Turkey’s questionable human rights record of late, the Prime Minister rolled out the red carpet for President Erdoğan during his visit to Downing Street last month. The UK Government have abandoned democratic values and human rights in their pursuit of Brexit by wooing world leaders known for oppression of their own peoples. Moreover, it has been reported that Britain has sold more than $1 billion of weapons to Ankara since the failed coup, yet the UK Government have admitted that they cannot categorically state that UK weapons have not been used by Turkish troops in the area of Afrin.

I am not in any way disregarding the importance of the UK’s relationship with Turkey. Like many other Members who have spoken, I have friends in Turkey—I work with Turkish representatives at the NATO Parliamentary Assembly—and I am keen to see the strengthening of our trade, security and defence links with this geopolitically strategically-sited country. We have much to gain from improving our co-operation on things such as information sharing and on tackling cross-border crimes such as money laundering and people and arms trafficking—not to mention the mutual benefits of the British-Turkish collaboration on the Turkish TFX fighter jet.

However, those shared interests must not be prioritised over the human rights of the Turkish people or, indeed, the securing of democracy itself. The UK Government cannot turn a blind eye to the human rights abuses in Turkey because of purely national interests. A global Britain has the moral authority and a moral responsibility to demand adherence to democratic values from its international partners. I therefore urge the Secretary of State to heed the words of the United Nations High Commissioner for Human Rights and call on the Turkish Government to restore the country’s constitutional order and ensure that human rights and fundamental freedoms are respected as quickly and as fully as possible.

4.36 pm

**Fabian Hamilton (Leeds North East) (Lab):** I congratulate my right hon. Friend the Member for Enfield North (Joan Ryan) on securing this debate, together with her co-sponsors. As she said, it has been six years since we debated Turkey in the Chamber, although it is only 15 months since the Westminster Hall debate, in which I was also privileged to speak. I recall my right hon. Friend saying in that debate that it was time that we had a debate in the Chamber; here we are, 15 months later, and sadly things in Turkey have got considerably worse.

My right hon. Friend said in her opening speech that she has serious concerns that the state of emergency will prevent the elections in Turkey on 24 June from being free and fair, and that theme was echoed by many other right hon. and hon. Members who contributed to the debate. She said that this debate was the opportunity for the British Government to ensure that Turkey keeps to its international human rights obligations and that our Government cannot turn a blind eye to human rights violations, in spite of the fact that Turkey is such a valuable trade partner.

My right hon. Friend quoted the OSCE saying that the constitutional referendum in April 2017 “took place on an unlevel playing field”.

Many of us similarly felt that it was not a fair referendum, yet still the changes only just squeezed through with 51% of the vote—even tighter than our own Brexit referendum. She asked whether the Turkish Government will sustain a genuine democracy, and that has been the theme this afternoon. Of course, she also condemned the use of torture since the July 2016 coup attempt, as we all do.

My right hon. Friend said something else: she asked for a stronger reaction from her own Front Benchers, so let me take this opportunity to assure her and the House that the Opposition condemn utterly the human rights violations, the use of torture, the rolling back of human rights, the arrest of journalists, the increasingly authoritarian regime of the Turkish Government and President Erdogan’s AK party, and, of course, the horrific violence and military action in Afrin, allegedly against Turkish PKK brigades and militia, who have now joined the YPG in Syria. The action in Afrin was not only a gross violation of the lives of those Kurds who had sought refuge in Syria but the violation of another state’s territory. We utterly and wholeheartedly condemn that, and have done since the Turkish army took that action.

We also heard a very good speech from the hon. Member for East Renfrewshire (Paul Masterton) who talked about the authoritarian crackdown by President Erdogan and the AK party. He said that the AK party and President Erdogan were determined to remain in office under the new constitution past that centenary that he mentioned of the modern Turkish republic being established in 1923, and, from the evidence that we have seen, there is no doubt that that is exactly what President Erdogan wishes to do.

The hon. Gentleman mentioned something else that is very important and close to my heart and the hearts of all Members present in the Chamber today: the increasingly anti-Semitic rhetoric that we hear from President Erdogan and his Government. It is all the more tragic given the sanctuary that Turkey and the Ottoman empire offered to the Jews escaping persecution in other parts of Europe, down the centuries, including to my own ancestors who left Spain in 1492. That old trope of blaming Jews worldwide for the devaluation of the lira, for currency fluctuations and for financial issues is something of which we have heard far too much. It is a tragedy that that country that we have come to admire over the years is going down that path.

We then heard an amazing, knowledgeable, experienced and excellent contribution from my right hon. Friend the Member for Cynon Valley (Ann Clwyd)—my colleague and friend—who talked about the treatment of Turkish MPs who had been jailed. Over the years, she has been associated with many friends and activists in Turkey. Importantly, something she said was echoed by many Members this afternoon, which is that, as a true friend of Turkey—I believe that we are all true friends of Turkey in this Chamber this afternoon and that our country is a true friend of Turkey—we have to hope that the criticisms that we make are heard in good faith, because we want Turkey to be back on the path of democracy and the liberal values that we so treasure in this country. Many Members said that the UK Government should challenge Turkey in public, and I look forward to hearing what the Minister has to say on that. They said that Turkey, once a beacon of democracy and freedom, is now a great cause for concern.

My right hon. Friend also said that we should now cease arms sales to Turkey until the authoritarian regime returns to some kind of democratic values. I am talking about those who have been arrested and imprisoned for simply speaking their mind, not for plotting to overthrow the Government of Turkey, and about the widespread use of torture and the arrest of journalists. Turkey now arrests and imprisons more journalists than anywhere else in the world per head of the population, including countries such as China and other authoritarian regimes. That is a disgrace. We want to see that practice reversed.

The hon. Member for Henley (John Howell) said that it was difficult to have a debate on Turkey without mentioning the Council of Europe. He talked about the important role played by the Council of Europe. He said that 2,000 organisations and NGOs have been permanently closed by the Government since the coup attempt.

We then heard from my friend—I hope he does not mind me calling him that—the hon. Member for Strangford (Jim Shannon), who was one of the backers of the motion. He said that it was a timely debate given the elections on 24 June. He is well known as the chair of the all-party group for international freedom of religion or belief. He talked about the crackdown on freedom of speech and human rights since the coup, expressing his concerns that our counterparts in the Grand National Assembly of Turkey can no longer express their views freely as we can in this House. Had we been Turkish, we could well have been arrested for expressing our views today.

Following the coup attempt of July 2016, my right hon. Friend the Member for Islington South and Finsbury (Emily Thornberry), the shadow Foreign Secretary said: “Turkey is of pivotal cultural, political and strategic importance to the world, straddling as it does the east-west divide with borders to eight countries. It is a vital NATO ally and has important minorities, particularly Kurds and Armenians, as its citizens. Half a million people of Turkish or Kurdish descent live in the UK and they are desperately worried about their families. With 2 million British visitors a year, Turkey is greatly loved in this country, and the interests of our two countries cannot be separated.”—[Official Report, 19 July 2016; Vol. 613, c. 686.]

Things have got considerably worse in a country with which we have a very close friendship and in which we have very good alliances.

The coup of 2016 resulted in a state of emergency enacted by the Parliament that was expected only to be temporary, yet it has been extended almost indefinitely. It allows, as we know, for rule by decree and the temporary suspension of so many rights in Turkey. The authorities have used it to target suspected political rivals and to reduce the space for civil society. As a consequence—we have heard about this today—checks and balances on human rights have shrunk, and Turkey is pushed further away from a system in which the rule of law is guaranteed. On 18 January 2017, just as Donald Trump was taking office in the United States, The Guardian said that Turkey was “fast degenerating into outright dictatorship, emboldened by the imminent ascent of Donald Trump”—a rise that has of course now happened.
Turkey under President Erdoğan is part of a new generation of authoritarian populists who seek to overturn the concept of human rights protections. The irony is that before President Erdoğan and his party democratically won power, they were themselves victims of human rights abuses under the old regime before 2002. In fact, Erdoğan was imprisoned in 1999 for reciting a religious poem. The fiercely secular constitution and the then elite consistently attempted to undermine even mildly Islamist political forces in the country.

The UK Government consistently state that they work closely with Turkey—as I hope they do—and underline the importance of the rule of law and the protection of freedom of expression. It is a statement that the Government make frequently when confronted with the issue of human rights and the current political situation in Turkey, but this seems to be having no effect. I urge the Minister to do more, speak louder, and I hope upon hope that the Turkish Government will listen.

The Turkish Government blamed the coup on followers of the exiled Turkish Islamic cleric Fethullah Gülen and imposed the state of emergency, which suspends many of the normal functions of the constitution and derogates many provisions of the European convention on human rights. Since the coup, nearly 160,000 people have been arrested and 152,000 civil servants dismissed—many, as we have heard, totally arbitrarily.

Let me conclude with a few words about the situation for women in Turkey. There is no doubt that Turkey’s secular principles to limit the civil liberties of women. In 2013, the World Economic Forum ranked Turkey 120 out of 136 nations for gender gaps in education, politics, health and economics.

This has been a timely debate. I hope that, as a close friend of Turkey, we will emphasise how important Turkey is to the rest of Europe, the region and the world and that we can see a reversal of this appalling slide into authoritarianism.

4.47 pm

The Minister for Asia and the Pacific (Mark Field): I congratulate my old sparring partner, the right hon. Member for Enfield North (Joan Ryan), on securing this debate. I also commend her for all of her sterling work as chair of the all-party parliamentary group for Alevi. The Minister for Europe and the Americas is currently travelling abroad on ministerial duties, and sends his apologies that he is unable to respond to this debate. It is my pleasure—in the broadest sense of the word, I hasten to add—to take his place and respond on behalf of the Government.

I am grateful for the heartfelt contributions from a number of hon. Members, including that of my hon. Friend the Member for East Renfrewshire (Paul Masterton) and the right hon. Member for Cynon Valley (Ann Clwyd), who gave a heartfelt commentary. She is right to conclude that this trajectory is not one that inspires confidence for the credibility of the Turkish elections on 24 June. My hon. Friend the Member for Henley (John Howell) rightly talked about the Council of Europe, and said that Turkey needs to do more to fulfil its obligations. The hon. Member for Strangford (Jim Shannon) and my right hon. Friend the Member for Chesham and Amersham (Dame Cheryl Gillan) also spoke. I will try to touch on all those points.

The right hon. Member for Enfield North rightly pointed out in her opening comments that a long-standing relationship underpins the UK’s alliance with Turkey. Over the decades we have enjoyed many shared interests, including the strongest of people-to-people connections, trade, security, migration and of course the fellow membership of NATO. We rely on the Turkish state for the protection of millions of British tourists who enjoy Turkey’s historical sites, and sunshine, each and every year. Turkey deserves the gratitude of the international community for hosting over 3.5 million Syrian refugees on its soil, at considerable cost and potential danger. We should also recognise that Turkey has stood on the frontline in the battle against Daesh. We commend its continuing efforts to deter foreign terrorist fighters from engaging in the conflict in Syria and returning to wreak havoc in Europe.

Turkey is also, as has been pointed out, an important trading partner. We expect that relationship to continue once we leave the European Union. I want to touch on the issue of arms sales, which was brought up by a number of Opposition Members. UK arms exports are subject to export controls. Each and every decision to approve licences on exports is considered on a case-by-case basis against consolidated EU and national arms exporting licensing criteria. This approach is, I assure Members, under continual review and based on the best information available at the time. I hope that when we look at the review, full account will be taken of each of the contributions made in this debate.

President Erdoğan’s visit last month underlined the closeness of the UK-Turkey relationship and gave us the opportunity, as a candid friend of Turkey, to have some constructive discussions on the widest range of issues. The Prime Minister and President Erdoğan specifically referred to Turkey’s forthcoming parliamentary and presidential elections and the importance of observing international human rights obligations.

Let me touch on the issue of human rights priority country designation, which was also raised by a number of Members. We do not currently judge that Turkey meets the criterion to be designated as an HRPC. Notwithstanding that, the UK will be active and vocal in trying to promote a restoration of human rights within Turkey through all diplomatic channels, including at the very highest levels and through the support of civil society. We will keep this decision under close review.

A number of hon. Members in all parts of the House have raised great concerns that the elections in Turkey are taking place in an increasingly restrictive environment, against the backdrop of a continuing state of emergency. I share that concern. It is by no means an ideal time to have an election when there is an ongoing state of emergency. As has rightly been pointed out, it is now almost two years since the attempted coup, and we all understand that the state of emergency, understandable as it was at the time, was a temporary rather than a semi-permanent measure. The Foreign and Commonwealth Office shares these concerns. We have urged, and shall
continue to urge, that the state of emergency is lifted in order to restore normality. We will also make the case to counterparts in Turkey and to its London-based diplomats that it should ensure that the elections later this month are held in a manner that is as transparent, democratic, fair and orderly as possible.

We have noted the very great concerns expressed by the Organisation for Security and Co-operation in Europe about the conduct of the 2017 referendum in Turkey. We have encouraged the Turkish Government to ensure that those concerns are addressed in the conduct of upcoming elections. We welcome the fact that electoral observer missions from the OSCE and the Parliamentary Assembly of the Council of Europe will be monitoring the elections in Istanbul, Ankara and beyond. The UK is providing practical support to that observer mission.

I am delighted that my right hon. Friend the Member for Chesham and Amersham is going to be involved in that—pending, of course, the voting arrangements. I very much hope that we will not have anything that is too pressing, although there may be something pressing at some point slightly nearer to 24 June. I hope that she will be able to play a robust role in this. We shall continue to monitor developments with interest as activity gets under way. I agree that it is important that all—I repeat, all—political parties within Turkey have the same opportunity to engage in a fully participatory and fair election campaign.

As I observed earlier, as a candid friend of the state of Turkey—I think we are all candid friends and want to see Turkey succeed for the future—we can and we do regularly raise sensitive subjects such as human rights with Turkish Ministers. In addition to my right hon. Friend the Prime Minister’s discussions with President Erdoğan last month, she and the Foreign Secretary raised specific human rights issues at the highest level when they visited Turkey last year. The Minister for Europe, who has visited Turkey no fewer than six times since the coup in June 2016, has consistently raised the need to uphold human rights and democracy, particularly in the aftermath of that failed coup and in response to the ongoing terrorist threat. That work will, I can assure the House, continue.

We have long encouraged Turkey to work towards the full protection of fundamental rights, particularly in the area of freedom of expression. Turkey’s new constitution, very narrowly passed in a referendum last year, comes into force immediately after the forthcoming elections. I accept that, regrettably, it concentrates Executive power into the hands of a single President, abolishes the office of Prime Minister and reduces parliamentary oversight. The Foreign and Commonwealth Office will continue to call for Turkey to enact those constitutional changes in a way that sustains democracy, respects the rule of law and protects fundamental freedoms in line with its international commitments, which many Members have referred to, including my hon. Friend the Member for Henley.

We also urge respect for freedom of the media, which is essential to the long-term health of Turkish democracy. I share the deep reservations expressed by Members today about the high number of journalists and social media users currently in detention. The FCO will strongly support protection of the rights of minority groups in Turkey, including Kurdish and Alevi communities, among others. I call today on the Turkish authorities to safeguard their welfare and respect their human rights.

I think we all accept that PKK terrorism presents a severe challenge to Turkey and its allies in the region. The PKK is a proscribed terrorist group in the EU and the US, and we stand shoulder to shoulder with Turkey in condemning that group’s ongoing campaign of violence, which has led to thousands of deaths since the 1980s. While firmly condemning PKK violence, we continue to call for a return to a peace process. The UK Government have supported and will continue to support a number of organisations seeking to build active dialogue between different actors on the Kurdish issue and address related human rights issues. We also maintain keen links with all parties represented in the Turkish Parliament, including the largely Kurdish HDP and a wide variety of civil society organisations. As a consequence, we regard the reports of pre-trial detention of opposition politicians as unacceptable.

We welcome the early steps that Turkey has taken to address some of the human rights concerns internationally by reducing the custody period and creating a commission to review dismissals carried out under the state of emergency, but those are very small steps, and much more needs to be done. I know that I speak for all Members who have contributed to the debate in urging the Turkish Government to empower the commission further to deal effectively with the high volume of cases it faces.

In conclusion, I sympathise with the misgivings expressed by Members, not least the right hon. Member for Enfield North, about the situation in Turkey in the lead-up to the elections. I want to reassure the House that the UK, along with international partners, will be examining and reporting on the conduct of the forthcoming elections very closely indeed.

4.57 pm

Joan Ryan: I thank all Members who have taken part in today’s debate. We heard no dissent on either side of the House from the deep concern about what is happening in Turkey—its slide into authoritarianism and the serious doubt that we can see free and fair elections there. I am pleased that the right hon. Member for Chesham and Amersham (Dame Cheryl Gillan) will be going there as an election monitor, and I look forward to hearing an account of that.

I thank my hon. Friend the Member for Leeds North East (Fabian Hamilton) for his very clear statement about the view of those on the Labour Front Bench. We heard a stronger statement today from those on the Government Benches than we have heard previously. It is striking that all the contributions were somewhat at odds with the Prime Minister’s press statement with President Erdoğan at the end of his visit. I suggest that she thinks again about what she said.

We are true friends to Turkey, but to the Turkish, Kurdish and Alevi communities and all individuals who are being persecuted and oppressed and whose human rights are just being swept aside. We need to do and say more and be stronger about it. I am surprised that the Minister for Europe and the Americas has been to Turkey six times and made the points he has made; clearly he has not been listened to. He dismissed my request that he ask the Turkish embassy to make a
polling station—maybe a mobile one, as we have heard about—available in north London for the Turkish-speaking community to vote. Will the Minister present make those representations for us? I thank him for his response today.

Question put and agreed to.

Resolved.

That this House has considered early elections, human rights and the political situation in Turkey.

Secondary Ticketing

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

5 pm

Mr Richard Bacon (South Norfolk) (Con): I am pleased to have the opportunity to discuss secondary ticketing, which is the process of reselling tickets for admission to events such as live music concerts, rock festivals, football matches, other sporting events, exhibitions and so on. The term “secondary ticketing” refers to tickets that have already been sold for the first time by the organiser of the event, and are then sold on by the ticket holder in the secondary marketplace. In the ticketing industry, the original issuers are generally known as ‘primaries’, and later sellers are known—for obvious reasons—as “secondaries”, or more typically as “secondary websites”, because the secondary ticketing business overwhelmingly takes place on the internet through online transactions paid for by credit cards.

I began to take an interest in this issue because of a constituency case, which was the reason I originally applied for this debate. However, those specific matters have recently been caught under the terms of the House’s sub judice rules—I consulted the House authorities and the Principal Clerk of the Table Office at length about that case, and I regret that I cannot now refer to it directly today. None the less, secondary ticketing is clearly a matter of widespread concern among the public whom we represent, as well as among hon. Members, who have held numerous debates on the subject in the House in recent years. The hon. Member for Washington and Sunderland West (Mrs Hodgson) is in the Chamber this evening.

Secondary ticketing is an area of great controversy that raises important questions about consumer protection, business freedom and responsibility, the ethics or legality of certain types of behaviour, and indeed the clarity of the law and whether it is applied correctly. There are also questions about the structures of the entertainment industries that put on events that require tickets. This is an area in which public policy must be got right and implemented properly, and it is fair to say that there is still considerable work to do.

Last year, two hon. Members who were active in the all-party group on ticket abuse—the hon. Member for Washington and Sunderland West and my hon. Friend the Member for Selby and Ainsty (Nigel Adams)—were threatened with arrest when they visited the offices of Viagogo, a notorious secondary ticketing website that was operating from premises at 71 Fenchurch Street in the City of London while claiming that it did not have a proper UK office. That happened simply because they wished, as Members of Parliament, to raise concerns with that company about constituents who had been repeatedly ripped off by Viagogo, after it had repeatedly ignored correspondence and requests for meetings.

Research by the consumer watchdog Which? found that as many as a quarter of tickets to popular concerts and events end up on secondary ticketing websites such as Viagogo. Which? found that 26% of tickets for a show by the comedian Jack Whitehall, and nearly a fifth of tickets to see Lady Gaga at the O2 arena in London, were available on Viagogo and three other resale sites—Get Me In!, Seatwave and StubHub. About 15% of tickets for last year’s first night of the BBC Proms
at the Royal Albert Hall were found on secondary ticketing sites, including a £38 ticket with a mark-up of 279% on StubHub, and one with a 300% mark-up on Get Me In! Crucially, Which? discovered that 49% of consumers who bought those tickets believed that they were buying from official sellers, and it is clear that proper consumer protection is required in this area.

As well as the hon. Member for Washington and Sunderland West, who has campaigned on this issue for many years, and my hon. Friend the Member for Selby and Ainsty, another active campaigner is the hon. Member for Perth and North Perthshire (Pete Wishart), who secured a debate on this subject, to which the Minister responded, only last month. The Minister might be getting rather tired of having to come back to the House of Commons, but that is an index of the concern felt by hon. Members across the House.

There is a wide range of views on what reform is required and what that should look like. One might say that the bookends of the argument could be loosely characterised as ranging from the views of the hon. Member for Perth and North Perthshire, an experienced rock musician, to that set out in an Institute of Economic Affairs paper written by Dr Stephen Davies. The hon. Member for Perth and North Perthshire stated his view clearly:

“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 are bought and sold. There is no evidence that that is the case. What is the point of explaining something that does not exist?”

The IEA, as one might expect, takes a different view, stating:

“The fundamental cause of disappointment for many would-be buyers or their having to pay more than a nominated but below-market price is that in these cases”—

that is to say where there is enormous interest in obtaining the tickets—

“(which to repeat, are not the norm) there is a massive excess of demand over supply. Far more people want to go to the event than can physically attend.”

The IEA paper is certainly worth reading, although personally I do not think it places sufficient emphasis on the very serious consumer protection issues that have become apparent.

It is of course true that for any good or service where there is a fashion or fervour to obtain it, the price can be bid up very easily. That happens with Nike, where the manufacturer of very popular training shoes tries to limit supply. It is every supplier, every manufacturer, and every commercial business’s dream to have people fighting over their product and bidding up the price. I remember that when the IKEA store opened in north London, there were literally fights outside because so many people wanted to get in. That might have created a small disturbance, with the police having to be called, but the fact that there was now an IKEA store in that part of north London was all over every newspaper in the country.

Mrs Sharon Hodgson (Washington and Sunderland West) (Lab): The hon. Gentleman is making an excellent speech. Does he agree that in the cases he outlines, with regard to how much the tickets should be sold for and whether face value is below market value, artists such as Ed Sheeran, Adele, Kate Bush and others should be able to set that price on the basis of what they deem their fan base can afford and what would be fair for the majority of their fans?

Mr Bacon: I do agree. Of course, there are a variety of other considerations that also help to set the price. Some artists only do a small number of shows. A Korean boy band is coming over to the UK shortly. I would tell you its name if I could remember it, Madam Deputy Speaker, but to be honest when I was told, I had to admit I had never heard of it and I cannot now remember its name, but apparently the band is very popular—God, I sound like Sir Bufton, don’t I? There are people flying in from Korea to hear this boy band and the official ticket price has been set at £165. That is an indication of the importance of this extremely successful sector to the UK economy, given all the flights and hotels, and the tourism that will take place while people are here. It is therefore very important that there is probity and regularity in the sale of tickets, and that the artist and promoter can set the price.

There are other considerations. If the performer is a bloke with a guitar—yes, I have heard of Ed Sheeran—the cost of putting on a simple show may be much lower than that for a very sophisticated show that, while still a rock concert, may be more akin to a west end or Broadway show, with the concomitant costs. That will also influence a promoter’s decision about the ticket price, as will how much the artist wishes to get or how much the promoter is willing to pay the artist. The hon. Lady is quite right that those are decisions for the promoter and the artist, but they cannot be taken in isolation.

As for the other issue, this is where people sometimes struggle with the argument from those who think that there should be no secondary market at all. I remember when I first tried to buy an iPad. I knew, because I had been past the shop, that there was a big Apple store on Regent Street. I foolishly thought that by going to the Apple store, I would be able to buy one, only to discover when I got there that the fervour that often occurs was such that there was either the actuality or the illusion of great scarcity. I was told after wandering around the store for some time that there was absolutely no possibility of my buying an iPad from the store, and that I had to do that online and it would take several days before I could possibly get my hands on one. This was of course because of the excessive demand for iPads compared with Apple’s ability, even working at full tilt, to manufacture them through its plants. Again, that is a nice problem to have, but when that sort of thing happens, we cannot be surprised that it ends up pushing up prices.

I had the opportunity to discuss some of these issues briefly with the hon. Member for Washington and Sunderland West yesterday. I pointed out that tickets for the 100 metres final at the London 2012 Olympics were going for £2,000. I do not think that that was being traded on the secondary market for £2,000. If someone wanted to sit at the finishing tape for the final of the 100 metres—the blue-riband event, which is
watched by billions all over the world—that was the price that LOCOG, the London Organising Committee of the Olympic Games and Paralympic Games, was charging them. Of course, people could sit elsewhere in the stadium and still get a reasonable view. I had the pleasure of selling souvenir programmes for the 1978 Commonwealth games, which was an alarmingly long time ago, and had the chance to see some very exciting live athletics. I can understand why people want to do that—it is a very exciting thing to watch—but the point is that many people thought that it was worth paying a lot of money. I am sure that many of the people did not spend the £2,000 personally—perhaps wealthy corporations paid for them—but the fact is that the promoter decided to set the price at that level, and I think that we need to have some regard for that.

Mrs Hodgson: Does the hon. Gentleman recognise that the organiser set that price for all the reasons that he cited and was confident that tickets would not be touting? The tickets were protected, which was a proviso of the International Olympic Committee, although that was not extended to the Rugby Football Union for the Rugby world cup, for example. Those tickets could probably have gone for £20,000 on the open market, but they were protected at the price that the event organiser decided. Does he agree that that should be the way that this goes forward?

Mr Bacon: I would like to see a regular and orderly market. In a moment, I will say something about the analogy with the stock market made by the hon. Member for Perth and North Perthshire, because for different reasons from the ones that I think he meant, it has some interesting things to tell us. The regulation of the stock market is very concerned with an orderly market. I am sure that the hon. Member for Washington and Sunderland West is right that those tickets could have gone for considerably more, and I do not understand why the provisions that were extended to the Olympics—that was mainly because the contract that our country had to sign with the International Olympic Committee in order to get the Olympics to come here absolutely required us to put in those provisions—were not also extended to the Rugby world cup, particularly when we know that the Rugby Football Union was begging for that to happen. I do not personally understand that at all. I think it was a mistake.

I was talking about the IEA paper and, as it were, the IEA view of the world. Although I do not necessarily subscribe to every jot and tittle of what is in the paper, I found it interesting to read. As I said, it did not necessarily focus on the consumer protection issues as much as I would have wished, but it is certainly true that many consumers have been seriously ripped off by secondary sites and have found huge difficulty in obtaining redress. There is a need for proper consumer protection and the right regulatory environment.

I think it is probably fair to say, as a generality, that I might add that some who have been in the business of offering tickets to events for many years, and who have great knowledge and experience of the sector, also feel that they are getting hurt. The Proceeds of Crime Act 2002 allowed for the freezing and seizure of assets by administrative fiat, without the process of going through a court trial of a prosecution. That legislation, which was designed to deal with international money launderers and drug dealers, “undermines the very foundation of our freedoms, which is that people are innocent until they are proved guilty, that the state cannot merely seize the property of the individual but must establish that the individual has forfeited his liberties under the rule of law... The new power of civil forfeiture is born of an understandable frustration at our inability to pin things on certain individuals, but it is a sloppy and dangerous short cut to improving our criminal law.”—[Official Report, 30 October 2001; Vol. 373, c. 814.]

Those are not my words, but the words of George Osborne during the passage of the legislation on 30 October 2001. I believe it is at least possible that that legislation is now being misused and misinterpreted.

Let me return to the question of what a suitable regulatory framework would look like. I think it is obvious that self-regulation through the assorted trade bodies that have cropped up from time to time in recent years has failed, and that the consumer rip-offs have been continuously getting worse—even in recent years, during the very period in which parliamentarians, the Government and the competition authorities have been paying more and more attention to the subject.

We need firm and clear rules, including, where appropriate, adjustments to the statutory framework, as well as vigorous enforcement, for which the required resources could be found quite easily. For example, a 1% levy on all tickets sold on websites for events in the UK would produce tens of millions of pounds to pay for consumer protection. It would not be very difficult. Many industries pay part of the cost of their own regulation: Ofwat is an example of that. The system could be revenue neutral, or—I think my hon. Friend the Minister would like this even more if she were trying to persuade the Chancellor—it might even make a profit.
[Mr Bacon]

A prime area for attention are the massive conflicts of interest that exist within the events industry. One company, Live Nation, is a venue owner, a promoter of events, an artist management company, and an operator in the primary ticketing business through its ownership of Ticketmaster. It also owns two of the leading secondary websites, Get Me In! and Seatwave, which have attracted so much controversy. That is a very obvious source of conflicts of interest.

The most common complaint is that when tickets for a very popular and oversubscribed event such as a rock concert are sold out at their face value within a few minutes of going on sale, the same tickets appear only a few minutes later on the secondary sites at a much higher price. The old question “cui bono?” applies: who benefits? Well, plainly the holders of the tickets purchased at face value, who have now sold those tickets at a much higher price, benefit considerably; but so does the secondary trading website through which the exchange takes place, because the website charges a commission for facilitating the transaction. The commission can easily be 20%, 30% or even 40% of the new sale price. If, say, a £55 ticket is resold at an inflated price of £250, which is perfectly plausible, the commission alone on the resale of the ticket, at just 20%, will be £50, and could easily be £75 or £100—more than the total original face value of the ticket.

If the secondary trading website is owned by the primary providers of the tickets—the concert promoters—they may make more money from the resale of the ticket than by having originally issued it, although in the second transaction they are acting only as brokers; provided, of course, that the secondary trading websites have enough tickets to sell. There is, then, a massive incentive for any primary provider that owns a secondary platform to ensure that the secondary platform has enough tickets. That type of conflict of interest is very clear and should be dealt with firmly. There is also, of course, a massive incentive for secondary platforms to encourage other ticket holders to engage in dubious behaviour to make sure they have enough tickets to sell on the platforms. There should be an investigation into firms such as Live Nation and whether their vertically integrated ownership structure is harming consumers and leading directly to abuse. My personal opinion is that it is.

There is even controversy—the Lord alone knows why—about whether the secondary trading platforms are brokers. They plainly are—they make promises and offer guarantees—and if they were correctly seen as brokers taking money in payments, they would fall under the supervision of the Financial Conduct Authority. As brokers, they routinely lie. They offer for sale tickets that they purport to have access to but which they do not have access to—what are called specs, or speculative tickets—in the hope that they will find the required ticket in time. If they were treated and regulated as brokers, this would be much easier to stop.

I would like to offer the Minister some propositions that I think command widespread consent and which should inform the Government’s thinking as they reform this area. First, the promoter or vendor should have the right to choose to whom it wishes to sell its tickets. Secondly, the promoter of an event should have the right to decide at what price the tickets should sell and to impose terms and conditions, so long as they are not unreasonable. The prices for those tickets will vary considerably depending on the nature of the event, and it should be perfectly in order for there to be massive price variations that reflect the desirability of the event.

As a constituent told me this morning—he was a Chelsea season ticket holder so had access to the tickets—he paid £140 to go to the FA Cup final, in which Chelsea were victorious. He would expect to pay on average £20 per normal premier league game, having paid £940 for a season ticket. Somebody attending a game against Accrington Stanley would expect to pay considerably less. I mentioned the £2,000 charged for the best seats at the Olympics for the 100-metre final. That price was set by the promoter. There is nothing wrong with such massive variations; it reflects the reality.

Fourthly—this goes back to the first point—it should be entirely in order for the promoter to operate a discriminatory pricing policy for favoured customers for a wide number of different reasons, which may include assisting activists in the sport, as happens often in rugby, assisting supporters clubs or exposing an event to young people, as theatres and opera houses often do. It may, of course, be a more expensive package for corporate clients that helps the event make more money.

If a promoter sold every ticket at £40, it is possible that, in the case of many shows, if they were of the elaborate variety, it would not cover its costs. Promoters need to be able to discriminate in their pricing and to offer packages to favoured customers. A few years ago, Wimbledon had a people’s Sunday—it was not expecting to have games on the Sunday, the rest day, but it did because of rain—for which unreserved seats were readily available at low prices, which allowed those of more limited means to sit on the best show courts and see the best tennis. That sort of thing ought to be within the gift of the promoter to decide.

Fifthly, it should not be possible for a promoter to cancel a ticket because it has been resold, unless it has been acquired unlawfully or in breach of the promoter’s reasonable terms and conditions. Sixthly, one should not be able to oblige a vendor to repurchase a ticket, but equally, and seventhly, a ticket holder who can no longer use a ticket should, at the ticket holder’s own choice, have the clear right in law to sell it either back to the vendor, at the vendor’s discretion, or to another party. From that, it follows that there should be registered ticket dealers that can have different classes of licence—rather like different classes of drivers licences—depending on whether they are operating online or outside venues. Anyone doing business with the public should also have liability insurance, which should be visible to the customer. That is not a complete list, but I hope it is a useful contribution for the Minister.

There is one area of considerable importance that I have not had time to mention so far but would like to touch on before I sit down. Some of the worst offenders in harvesting tickets for immediate resale using sophisticated software are to be found in the organisations with the most up-to-date IT infrastructure—the fastest fibre links and the mainframes with the fastest processing speeds—such as the big banks in the City and big accounting firms, and certain people in the NHS and even in one or two police organisations. I hope the Minister will reflect...
on that because sometimes Government investment in IT is assisting this pernicious trade. Members who have read the book “Flash Boys” about high frequency trading will immediately get the point.

I hope my remarks have given the Minister a little food for thought and I look forward to hearing her reply.

5.25 pm

The Minister for Digital and the Creative Industries (Margot James): I congratulate my hon. Friend the Member for South Norfolk (Mr Bacon) on securing this debate, which is timely given the start of the summer sporting season with many events to which fans will want fair access.

It has become ever more difficult to buy tickets at face value with powerful new technologies being deployed against the interests of consumers. However, as my hon. Friend acknowledged, there is a role for responsible secondary ticketing platforms, if only to give fans the opportunity to resell at a reasonable price tickets for events they are genuinely no longer able to attend. Nevertheless, I am concerned that these genuine fans are being crowded out on these platforms by professional resellers, who harvest hundreds of tickets on the primary market with no intention of using them themselves.

The Government recognise that the process of distributing and buying tickets can often be a cause of public frustration and concern. We are determined to crack down on unacceptable behaviour and have made quite a bit of progress to date, which is not to say that there is not more to do, and I thank my hon. Friend for his suggestions for further consideration.

The Consumer Rights Act 2015 imposed a duty on sellers to provide information to fans including the face value of the ticket, information to enable the buyer to identify the particular seat or standing area at the venue, information about any restriction limiting the use of the ticket to persons of a particular description, and information about the identity of the seller—for example, if they are an operator of a secondary ticketing facility or an event organiser. Section 105 of the Digital Economy Act 2017 introduced an additional requirement for ticket sellers to provide a unique ticket number, where one has originally been given, when putting a ticket up for resale. This provision is now in force, and I know that some event organisers are beginning to look at how it can be used, along with other measures, to improve access and protections for fans.

Under the secondary legislation, we also introduced the “anti-bot” provision which is well on course to come into force next month. This will make it a criminal offence to purchase more tickets than the maximum permitted for an event where the purchase is made electronically through the use of software designed for the purpose and where the intent is to obtain financial gain. We hope these regulations will significantly improve the current situation.

The legislation is of limited use unless properly enforced, so I welcome the Competition and Markets Authority’s recent announcement that it has secured commitments from three of the four largest secondary platforms on additional information on cost to be provided with tickets being resold through their platforms, and that it has notified the outlier Viagogo of its intention to pursue court action if it does not fall into line and address the CMA’s concerns satisfactorily.

The Government are also now giving approximately £15 million annually to National Trading Standards for national and cross-boundary enforcement. It has committed to take forward investigations against power-sellers from within its annual budget, and I thank trading standards officers across the country for the excellent work they are now doing in this area.

The Advertising Standards Authority has recently taken action against the main four secondary ticketing sites, banning the misleading presentation of pricing information on their websites. Companies will now have to be clear and transparent. In addition, Google has introduced new rules for ticket resellers, requiring certification on the Google platform. To apply for certification, it will require solid information.

I do not have time to tell the House everything the Government are doing but hope I have been able to give a flavour of the majority of our actions.

Question put and agreed to.

5.30 pm

House adjourned.
Oral Answers to Questions

DEFENCE

The Secretary of State was asked—

Royal Navy Fisheries Protection

1. Peter Aldous (Waveney) (Con): What assessment he has made of the level of fisheries protection to be provided by the Royal Navy after the UK leaves the EU. [905742]

21. Scott Mann (North Cornwall) (Con): What assessment he has made of the capacity of the Royal Navy to protect UK fisheries after the UK leaves the EU. [905763]

The Secretary of State for Defence (Gavin Williamson): The Royal Navy plays a crucial role in patrolling the seas around the United Kingdom. As we leave the European Union, the needs and level of activity will change, and we are working with other Departments to assess what is required. The Royal Navy will continue to play a vital role in protecting UK waters.

Peter Aldous: I am grateful to the Secretary of State for that answer. Given that fisheries protection will be an important component of a sustainable post-Brexit UK fishing policy, has the Secretary of State liaised with his counterpart at the Department for Environment, Food and Rural Affairs about what funds will be available to the Royal Navy for fisheries protection and whether the number of operational days will be increased?

Gavin Williamson: The Department received an extra £12 million from the Treasury that we prioritised for that area. We are in dialogue with our DEFRA colleagues to ensure that we have the right levels of policing and support in our territorial waters. The Royal Navy is absolutely committed to delivering that, and we will work with DEFRA to ensure that it happens.

Scott Mann: Will the Secretary of State consider basing the Type 26 and Type 31e frigates in Devonport to protect Cornwall and Devon, and to support the great inshore fisheries and conservation authorities that currently protect the waters?

Gavin Williamson: My hon. Friend is a great champion of the fishermen of the north Cornwall coast, and I imagine that the deployment of the Type 26 would certainly see off the French and Spanish swiftly. He will be pleased to know that Plymouth will shortly be receiving an extra Type 23 frigate, which will be based at Devonport, and while I am sure that she will do some fisheries protection work, she will also be doing other work right around the globe.

Martin Docherty-Hughes (West Dunbartonshire) (SNP): Concerning the Royal Navy, SNP Members are most interested to hear whether the modernising defence programme will be grounded in the vacuous “global Britain” speak of Brexiteers, or if it will actually acknowledge the UK’s geostrategic location? Will the Secretary of State assure SNP Members that, unlike the 2010 and 2015 strategic defence and security reviews, the modernising defence programme will explicitly mention the north Atlantic and the high north, and their centrality to the assumptions made therein?

Mr Speaker: And fisheries.

Martin Docherty-Hughes: And fisheries.

Mr Speaker: Well done.

Gavin Williamson: The programme will mention fisheries, the high north and everything else that I am sure the hon. Gentleman would love to see in it.

Richard Benyon (Newbury) (Con): The Fishery Protection Squadron is the oldest established unit in the Royal Navy, but does my right hon. Friend agree that technology is moving on and that a combination of data analytics, satellite imaging and the protections that we are now able to deploy around the Pitcairn Islands marine protected area, for example, are the sorts of technologies that we can add to save costs?

Gavin Williamson: My right hon. Friend is absolutely right. We need to consider new technologies to assist the Royal Navy and its work. It is a large ocean and there are many threats involved in ensuring that it is properly policed, so we need to embrace new technology, working hand in hand with the Royal Navy, to ensure that our waters are safe from foreign fishermen intruding into our territory.

Several hon. Members rose—

Mr Speaker: Oh, very well; I call Martin Vickers.

Martin Vickers (Cleethorpes) (Con): I am encouraged by what I hear from the Secretary of State about extra resources being made available. We anticipate an increase in the fishing fleet post-Brexit, so will he assure me that the fisheries protection fleet will expand accordingly?

Gavin Williamson: We will be examining what capability our fisheries protection fleet needs. Three offshore patrol vessels are currently engaged in this work, so we will be considering whether that needs to be expanded and how to fund it properly.

Equipment Plan 2017 to 2027

2. Mr Jim Cunningham (Coventry South) (Lab): What recent assessment he has made of the affordability of his Department’s equipment plan 2017 to 2027. [905743]

22. Graham P. Jones (Hyndburn) (Lab): What recent assessment he has made of the affordability of his Department’s equipment plan 2017 to 2027. [905764]
**The Parliamentary Under-Secretary of State for Defence (Guto Bebb):** We are taking steps to ensure strategic affordability through the modernising defence programme and our annual financial management processes. The cost of the plan is reviewed on an ongoing basis, and we expect to publish the equipment plan financial summary for 2018 to 2028 in the autumn.

**Mr Cunningham:** Can the Minister confirm that the Government still intend to procure the full 138 F-35s, as previously announced?

**Guto Bebb:** It gave me great pleasure to be present at RAF Marham on Wednesday to welcome the first four F-35s. As the hon. Gentleman is aware, the first 48 are fully paid for and committed to. We are looking at everything in the modernising defence programme, but the current situation is that we still anticipate the purchase of 138 F-35s.

**Graham P. Jones:** The Public Accounts Committee said in a recent report:

“The Equipment Plan for 2017 to 2027 is not realistic and the Department lacks cost control.”

Does the Secretary of State share my deep concern about his Department’s equipment budget being in such an appalling state?

**Guto Bebb:** I am sure that the Secretary of State shares my view that the Public Accounts Committee does an important job, but it is important to state that the assumptions made in the National Audit Office report, which underpin the report of the Public Accounts Committee, highlight the possibility that every single project will end up with no efficiency savings and that the worst-case scenario will be achieved on cost controls. We are very confident that we have an equipment plan that is affordable but, as I have stated, we are looking at all issues as part of the modernising defence programme.

**Mr Philip Hollobone (Kettering) (Con):** How many drones will we have for the RAF, the Royal Navy and the Army by 2027, both for reconnaissance and for our annual financial management processes.

**Guto Bebb:** Currently, we have 160 drones, we will have 202 by 2027, and we will have 250 by 2028. Drones will be extremely important for the Royal Navy and the Royal Air Force in the future.

**Mr Kevan Jones (North Durham) (Lab):** The NAO estimates that, of the £9.6 billion shortfall in the equipment budget, £1.3 billion is for the new Type 31e frigate. Can the Minister assure the House that, in the autumn, the budget line for the Type 31e will be included in the financial summary?

**Guto Bebb:** The key submission for the Type 31 is that the procurement is going extremely well. It is currently on target, and our expectation is that the £1.25 billion budget for five Type 31 frigates will be achieved.

**Andrew Bowie (West Aberdeenshire and Kincardine) (Con):** Does my hon. Friend agree that the arrival of the F-35s on British shores is a signal to the world that “global Britain” is not empty rhetoric, as some would have us believe, but a demonstrable fact?

**Guto Bebb:** I agree with my hon. Friend. Friend that that is a statement of our aspiration, and it is also a significant statement on the contribution of defence to our national prosperity. Some 3,500 F-35s will be procured worldwide, and 15% of them will be produced here in the United Kingdom. That is equivalent to 525 platforms, which is a significant vote of confidence in UK industry.

**Carol Monaghan (Glasgow North West) (SNP):** Can the Minister confirm to the House the details of a letter he sent to me saying that the fleet support vessels will be bound by EU rules on state aid?

**Guto Bebb:** The situation, as per the shipbuilding strategy and as per the letter I sent to the hon. Lady, is that we are looking to procure the fleet solid support ships. The shipbuilding strategy aims to ensure that we have a strong shipbuilding sector, and a strong sector also needs a degree of competition. We are protecting warships as a national capability, but we are opening other elements of the shipbuilding strategy to international competition.

**Andrew Bridgen (North West Leicestershire) (Con):** Does the Minister agree that keeping our armed forces equipped to the very highest standard, well led and with a strong fighting spirit, is the best deterrent our country has?

**Guto Bebb:** I could not agree more.

**Wayne David (Caerphilly) (Lab):** “Not affordable”, “not realistic”, “not complete”, “unbalanced” and “unmanageable”—those are some of the politer things that have been said about the Government’s equipment plan. The comments have been made not by the Government’s political opponents, but by the Public Accounts Committee and the National Audit Office. Not since the end of the second world war have there been such devastating criticisms of a Government defence programme.

This £20.8 billion black hole in the MOD’s equipment plan has arisen due to this Government’s shameful incompetence. How do they intend to get out of this mess, and can we look forward to extra resources from the modernising defence programme?

**Guto Bebb:** I would say, at the risk of repeating myself, that the National Audit Office and the Public Accounts Committee do important work for this House, but I should highlight the fact—I have said this once
but I will say it again—that the figures quoted in the NAO report were a worst-case scenario. It looked at every single project hitting the worst-case scenario and at no efficiencies whatsoever being created within the programme. We are considering all these issues as part of our modernising defence programme, but I genuinely say to the hon. Gentleman that he should read the report with a bit more care and understand it.

Cyber-attacks

3. Rehman Chishti (Gillingham and Rainham) (Con): What recent assessment has his Department made of the threat posed to UK security by cyber-attacks.

[905744]

The Minister for the Armed Forces (Mark Lancaster): The Ministry of Defence takes cyber-threats very seriously, and we regularly assess our ability to defend against them. We are strengthening our defences against increasingly sophisticated attacks through a wide range of technical, operational and administrative measures, including close co-operation with the National Cyber Security Centre.


Rehman Chishti: I thank the Minister for that answer. Will he clarify how much the Government intend to spend during this Parliament to improve UK cyber-security?

Mark Lancaster: I am grateful for that question as it gives me the opportunity to highlight that we have invested and continue to invest in cyber-capabilities, including with the opening of the defence cyber-school in March, a £40 million investment in a new cyber-security operations capability, and £265 million towards a new cyber-vulnerability investigation programme.

Mrs Madeleine Moon (Bridgend) (Lab): The further east one goes, the greater the awareness of the cyber-threat in individual countries. Lithuania, Estonia, Poland and Sweden have all published advice on how to deal with that threat. What do this Government intend to do to build resilience among the British people and understanding of botnets, hacktivists and all the other ways in which Russia is attacking our political and social institutions?

Mark Lancaster: I think that we are well on our way. The 2015 national security strategy reaffirmed cyber as a top tier 1 risk. That was precisely why we opened the NCSC, which helps to co-ordinate the work of government and the private sector. It is also why we now consider cyber to be essential in our armed forces’ core skills.

Mary Creagh (Wakefield) (Lab): The Minister’s reply shows astonishing complacency. We know that cyber-attacks are a key plank of Russia’s hybrid warfare, where fake news, Twitter bots and even ambassadors are used to create confusion, for example regarding the findings of the investigation into MH17. What steps is the Minister taking to educate the British public about the way in which Russia is systematically using our open, democratic, free society to weaken the European Union and to return to a Europe of nation states controlled by spheres of influence?

Mark Lancaster: Frankly, I am staggered that the hon. Lady thinks that £1.9 billion of investment somehow represents complacency from this Government. I have already outlined exactly how the MOD is investing in cyber. In case she has not visited—it would be interesting to know whether she has—let me say that we also have the NCSC, which is only a mile down the road. If she has not been, perhaps she should go to have a look for herself at what the Government are doing to respond to her request.

Security Threat: Russia

4. Mr Barry Sheerman (Huddersfield) (Lab/Co-op): What discussions he had with other NATO member states on the potential security threat posed by Russia.

[905745]

The Secretary of State for Defence (Gavin Williamson): I met NATO Defence Ministers last week to discuss progress towards next month’s summit. The UK wants NATO to strengthen its deterrence and defence capabilities while ensuring that dialogue with Russia continues as part of the alliance’s commitment to avoiding misunderstanding and miscalculation.

Mr Sheerman: I tabled this question before the disastrous consequences of the failure of the G7 in Canada. Does it not seem as though this country is back in the 1939—isolated from Europe, with NATO under threat and with a big gulf between us and our traditional United States ally? What is the Secretary of State going to do about it?

Gavin Williamson: In my discussions with the US Defence Secretary, he has been clear about the US commitment to NATO and European defence. Let us not underestimate how supportive the US has been of NATO, or its commitment over the next couple of years to pump resources, troops and money into ensuring that our defence is the very best we can possibly have.

James Gray (North Wiltshire) (Con): NATO is quite rightly concentrating on the Russian threat to the east and to the south-east of Europe, but what more can we do to encourage it to take an interest in the high north and the Arctic, where the Russians have recently built eight new military bases at enormous cost? They also have huge submarine activity coming out into the north Atlantic and have reinvented the old bastion concept that was left over from the cold war. Surely there is a huge threat there and NATO has to do something about it.

Gavin Williamson: We have seen a considerable increase in Russian activity in the high north, and we have seen an increase in our activity in the high north as well, with HMS Trenchant taking part in ICEX—Ice Exercise 18—and the announcement of the additional Astute class submarine, HMS Agincourt. This is all about how we invest to keep ourselves safe and the north Atlantic free from threats.

Alison McGovern (Wirral South) (Lab): Further airstrikes in Syria on Friday left civilians dead and injured. What conversations has the Secretary of State had with our NATO colleagues about how we can make sure that Russia upholds international humanitarian law?
Gavin Williamson: Syria is yet another of those areas of conflict where we see Russia so heavily involved. We have been working with the Syrian Democratic Forces to make sure that we give the level of support that is needed, and we will continue to have a dialogue with our allies to do everything we can to bring a peaceful solution to Syria. We need a diplomatic dialogue and Russia has to step up to the plate. It has to recognise that it needs to put pressure on the Assad regime to stop the dreadful, atrocious actions that are continuing to be carried out on the Syrian people. This has to be brought to an end.

Nigel Huddleston (Mid Worcestershire) (Con): Will the Secretary of State confirm the role that Romania is playing in tackling the Russian threat and what resources the UK is putting into Romania?

Gavin Williamson: We have been working closely with Romania, with Royal Marines working closely with Romanian defence forces, but more recently the Royal Air Force has been deployed in Romania to deliver air policing over that country and its neighbours. As a result of that RAF support, there has been a significant drop-off in the number of Russian incursions.

Stewart Malcolm McDonald (Glasgow South) (SNP): Just a couple of weeks ago, myself and SNP colleagues returned from that Ukrainian town of Avdiivka, which is just two miles from the contact line of the conflict. We witnessed at first hand what Russian aggression really looks like against civilians, yet at the weekend President Trump made the astonishing claim that President Obama was to blame for the illegal invasion of Crimea. Will the Secretary of State set the record straight that this Government do not hold that view and that Russia is solely to blame for the illegal invasion of Crimea?

Gavin Williamson: Russia is solely to blame for the illegal invasion of Ukraine and the activities that have occurred there.

Stewart Malcolm McDonald: I am extremely grateful for that answer.

Thinking of national security in the broadest context and Russian influence, of course we learned at the weekend of revelations concerning Russian influence operations as far UK electoral contests go, which showed that Russia’s operations are as widespread as they are pernicious. What action is the Secretary of State taking in government and with NATO allies to crack down on Russian money flowing through London and to reform Scottish limited partnerships? Does he agree that that is not only in our interest, but in the collective interest of our partners, including Ukraine?

Mr Speaker: The hon. Gentleman has completed his disquisition and we are deeply grateful to him for doing so.

Gavin Williamson: A number of the areas that the hon. Gentleman touched on are probably more suitable for Treasury questions, but we continue to work with our allies to make sure that everything that we can do is implemented to stop the flow of Russian money into our country and others.

UK Defence Industry

5. Mike Amesbury (Weaver Vale) (Lab): What steps he is taking to support the UK defence industry. [905746]

The Parliamentary Under-Secretary of State for Defence (Guto Bebb): We are committed to supporting a thriving and internationally competitive defence sector. We have published our national shipbuilding strategy and refreshed our defence industrial policy, and we are developing a combat air strategy. In March, the Defence Secretary announced he had invited my hon. Friend the Member for Ludlow (Mr Dunne) to conduct a review of the defence contribution to prosperity, and I look forward to the publication of that report shortly.

Mike Amesbury: The fleet solid support ship contract said that there would be the potential to bring jobs and work to shipyards across the UK. Does the Minister not agree that those ships should be built in Britain, and will he make this a UK-only competition?

Guto Bebb: I have consistently argued that the national shipbuilding strategy should be supported across the House, as it offers real support for our shipbuilding industry. We designate warships as a sovereign capability to be built in the UK. Other ships are open to international competition, but I am confident that there will be British yards putting in bids for that work.

17. Robert Courts (Witney) (Con): When considering a replacement for the RAF’s airborne warning and control system fleet, will the Minister commit to holding an open competition so that bids from all defence partners—from the UK as well as abroad—can be considered? Will he also consider whether Sentry and Sentinel may in future be replaced by one aircraft type?

Guto Bebb: My hon. Friend is well known for his championing of issues to do with the Royal Air Force. It is important to say that the Ministry of Defence is currently going through a process of considering the replacement for that capability, and we are also considering the situation with regard to Sentinel moving forward. A decision will be made in due course, and he will be informed at that point.

Frank Field (Birkenhead) (Lab): When the Minister sits down after this series of questions, will he remind the Secretary of State, who I see is not listening, that he has been to a number of yards that will compete with Cammell Laird, but not to Cammell Laird itself? When he is deciding on the shipbuilding programme, he needs to be seen to be fair as well as awarding us orders.

Guto Bebb: I thank the right hon. Gentleman for his question. The process will be seen to be fair, because it will be fair. This is a real commitment that we are providing to the shipbuilding sector. We are absolutely committed to it, and we have adopted the shipbuilding strategy. I hope that he will have confidence in the process.

Vicky Ford (Chelmsford) (Con): Engineers in Great Baddow in Chelmsford have been designing world-class radar systems for generations. Will the Minister take
into account local skills and jobs when awarding the next contract, to make sure that British capabilities are not compromised?

**Guto Bebb:** My hon. Friend makes an important point about taking into account the whole contribution made to our economy when a contract is awarded. She will be interested in the new Treasury Green Book and also in some of the conclusions made by my hon. Friend the Member for Ludlow in his report on prosperity.

**Afghanistan**

6. **Stephen Doughty** (Cardiff South and Penarth) (Lab/Co-op): What plans he has for additional UK force deployments to Afghanistan.

**The Minister for the Armed Forces** (Mark Lancaster): No decisions have been taken on sending additional UK troops to Afghanistan. The UK makes an important contribution to the non-combat NATO mission in Afghanistan, where our troop commitment is kept under regular review to ensure that it remains suited to the needs of the mission.

**Stephen Doughty:** The Minister will be aware that, just today, 12 civilians, including women and children, have been killed in a suicide bombing attack outside a Ministry in Kabul. This is part of a string of attacks that have happened despite ceasefire efforts by President Ghani. Does the Minister agree that we very much need to protect the gains that we have made at the expense of blood and treasure in Afghanistan over many, many years, and will he consider looking at whether we need to provide more support to the Afghan security forces?

**Mark Lancaster:** The hon. Gentleman makes a very reasonable point. He will understand that, as I spent time in Afghanistan myself in 2006, this subject is very close to my heart. I am determined that we should not, as he says, lose that blood and treasure. Indeed, I raised that issue with Dr Abdullah Abdullah, the Chief Executive of Afghanistan, when I met him last Thursday. We will look at the matter very carefully to see what further support we can offer.

**Andy Slaughter** (Hammersmith) (Lab): The Secretary of State made a welcome concession on the issue of Afghan interpreters, but it may be small comfort to those with constituency cases if, as reported, only 50 additional interpreters and their dependants will be allowed to come to the UK. Instead, will the Government make to our economy when a contract is awarded. She will be interested in the new Treasury Green Book and also in some of the conclusions made by my hon. Friend the Member for Ludlow in his report on prosperity.

**Accommodation Model**

7. **Alex Sobel** (Leeds North West) (Lab/Co-op): What recent steps his Department has taken to develop the future accommodation model.

**The Parliamentary Under-Secretary of State for Defence** (Mr Tobias Ellwood) rose—

**Mr Speaker:** It is very good to see the Minister. I was in his constituency on Friday speaking to school students, and they spoke of him with great warmth and affection.

**Mr Ellwood:** I did not see the letter, but I am sure that it is on its way.

**Mr Speaker:** I am sure that I told the right hon. Gentleman, but if I did not do so, I will be the first to apologise. I am pretty sure I did. Anyway, it was a great joy.

**Mr Ellwood:** On reflection, Mr Speaker, I think I did receive some message that you were heading there.

We can be extremely proud of our armed forces, but if we are to continue to recruit the brightest and best, we must continue to invest in our equipment and training, but also in the welfare of our people. I am pleased that we are moving forward with the future accommodation model, which will give our armed forces personnel three choices: to remain on the garrison in the unit, inside the wire; to step outside and rent accommodation; or to get on the housing ladder by purchasing property.

**Alex Sobel:** The Royal United Services Institute criticised the future accommodation model, saying that it was woefully inadequate and behind schedule. Will the super-garrison at Catterick be finished on time, to ensure that armed forces personnel can live on garrison? Does the Minister think that the sale to Annington Homes in 1996 was a mistake?

**Mr Ellwood:** With due respect, I think that the hon. Gentleman is mixing up a number of issues. The future accommodation model has yet to start, but the pilot scheme is on track to start in December. We have been working closely with the families federations, which have themselves recommended the locations for the pilot schemes. I very much look forward to this work taking place in December.

**Edward Argar** (Charnwood) (Con): Recently, concerns have been expressed to me about the quality of grounds and buildings maintenance at armed forces accommodation at Woodhouse in my constituency. The Minister’s commitment to our armed forces personnel is well known and clear. Can he reassure me that the future accommodation model will include high-quality maintenance, and will he meet me to discuss that specific issue?

**Mr Ellwood:** Accommodation is very important. As I have mentioned, equipment and training are one thing, but we must ensure that we look after our people. The level of accommodation is one of the reasons why armed forces personnel choose to leave, which is why we are investing in more modern accommodation. I would be delighted to meet my hon. Friend to discuss the issue. The Secretary of State and I take very seriously the maintenance, and will he meet me to discuss that specific issue.

**Christian Matheson** (City of Chester) (Lab) rose—

**Mr Speaker:** I call Christian Matheson—

Oh, the hon. Member for Merthyr Tydfil and Rhymney (Gerald Jones) has been very courteous in sitting there quietly, but I believe that he actually wanted to come in on this question; I do beg his pardon. Have a go, man.
Mr Ellwood: The hon. Gentleman raises a number of matters. I agree with that there is a question mark over what happened in the past, but it did happen, and we now need to move forward to provide the necessary offering for our armed forces personnel. As I mentioned, we are working with the families federations to ensure that we get the deal necessary to make accommodation affordable for our troops.

Combat Aircraft Design

8. Christian Matheson (City of Chester) (Lab): What discussions he has had with the UK aerospace sector on collaborations for future combat aircraft design.

Mr Ellwood: The Ministry of Defence is working closely with other Government Departments, the UK aerospace sector, academia and international partners to explore the UK’s future approach to combat air capabilities. We intend to publish the initial findings this summer.

Christian Matheson: We have a world-leading aerospace sector, but we cannot deliver the combat air strategy on our own. Does the Minister expect most of our future collaboration to be with Europe or the United States?

Guto Bebb: I think it is fair to say that we are undertaking a combat air strategy because the UK is a global leader in the field. UK industry’s export capabilities in combat air are well known, with £6 billion of exports last year, so we are approaching partnerships across the globe. The Department has written to partners in the US, across Europe and further afield.

Leaving the EU: Aerospace Industry

9. Bambos Charalambous (Enfield, Southgate) (Lab): What assessment he has made of the effect on the defence and military aerospace industry of the UK leaving the EU.

Bambos Charalambous: Does the Minister agree that a clear commitment to stay in a customs union with the European Union would provide certainty to industry and investors that they will not be hit by needless tariff barriers after Brexit?

Guto Bebb: What we need moving forward is a strong relationship with the European Union to ensure that we have as frictionless trade as possible with the European Union. I do not think that remaining within the customs union is a prerequisite for a successful defence industry.

Alex Cunningham: American-owned Darchem in Stillingham is just one of the manufacturing firms in my constituency providing aerospace and other engineering products to the military. It really needs certainty about future tariff-free trading with the EU. Will it get that tariff-free trading?

Guto Bebb: The Government’s aim and aspiration is to ensure that there will be tariff-free trade with the EU. I think that the company referred to by the hon. Gentleman will be very pleased to see a Government who are proactively pushing forward the combat air agenda. We are world leaders in combat air—as I highlighted, 15% of every F-35 is manufactured here in the United Kingdom. We are leading on this issue, and the Government are supporting industry in that leadership.

Gill Furniss: The Government have often used EU rules as an excuse for not buying British steel for big defence projects. Can the Minister guarantee today that post Brexit, Royal Navy support ships and similar projects will use 100% British steel?

Guto Bebb: I wish I could offer the guarantee that the hon. Lady would be the first to complain if we had defects in our capability as a result of buying incorrect steel.

Stephen Kerr (Stirling) (Con): How are the preparations for the UK’s alternative to participation in Galileo going?

Guto Bebb: That is a crucial question, because our involvement with Galileo is important not just for our own security but for that of the European Union. We have committed significant funds to Galileo over the years. We have an obligation to our industry and to our defence capabilities to ensure that we investigate thoroughly the possibility of remaining within the Galileo programme. However, work is being undertaken on potential alternatives in case they are necessary.
French amphibious forces. Can the Minister confirm that HMS Albion and HMS Bulwark, two great examples of UK military endeavour, will not be cut in the forthcoming modernising defence programme?

Guto Bebb: The hon. Gentleman is well aware of the situation. As I articulated in the Westminster Hall debate, Albion and Bulwark are currently expected to be in service until 2033 and 2034 respectively.

Defence Procurement: SMEs

10. Jeremy Quin (Horsham) (Con): What progress his Department has made on encouraging small and medium-sized enterprises to participate in defence procurement programmes.

The Parliamentary Under-Secretary of State for Defence (Guto Bebb): Small businesses play a crucial role in our defence capability. To support them, we have launched a supplier portal that brings together a range of information and advice for new suppliers, and we have appointed a champion for smaller businesses to drive engagement. We also now require our largest suppliers to advertise their subcontracting opportunities on Government platforms.

Jeremy Quin: Anti-drone technology produced by an SME in Horsham has been used very successfully by US forces on operations for more than a year now. Will the Minister assure the House that the MOD will always go for best in class in procurement, and that this is open to smaller manufacturers, as it is with our allies?

Guto Bebb: My hon. Friend makes a really important point about the importance of SMEs in innovation and capability. Our refreshed defence industrial policy published last December highlights how we are encouraging competition within the defence sector, maximising opportunities for SMEs. For example, we have produced new short-form contracts that make it easier for SMEs to bid into MOD opportunities.

John Spellar (Warley) (Lab): Does the Minister recognise that SMEs depend on main contractors for an enormous amount of their work, and that that is why his previous replies on the fleet support ships have been so disappointing? Can he imagine our European G7 partners, let alone President Trump, buying navy support ships from foreign yards? When is he going to shake off Treasury dogma, wake up to European reality, and buy British ships built in British shipyards by British workers, backing British engineering firms large and small, and backing British steel?

Guto Bebb: I listened very carefully to the right hon. Gentleman, but I would not think that we should take any lessons on trade policy from Donald Trump.

Departmental Funding

11. Dr Julian Lewis (New Forest East) (Con): What recent discussions he has had with the Chancellor of the Exchequer on future funding for his Department.

The Secretary of State for Defence (Gavin Williamson): I have regular discussions with the Chancellor. The modernising defence programme will ensure that our armed forces have the right capabilities to address evolving threats. The Government are committed to spending at least 2% of GDP on defence, and the defence budget will rise by at least 0.5% above inflation every year of this Parliament, taking it to almost £40 billion by 2021.

Dr Lewis: The Secretary of State for that helpful reply. Would he like to take this opportunity to endorse the suggestion by his immediate predecessor that we should aim to spend 2.5% of GDP on defence by the end of this Parliament? Does he agree that that would be a useful staging post on the road to the 3% that we really need? Finally, would the forthcoming NATO summit not be an excellent opportunity to announce any such advance?

Mr Speaker: I thought the right hon. Gentleman was going to give us his usual mantra, “We need three to keep us free,” but it was incorporated in the graveness of his question.

Gavin Williamson: I think my right hon. Friend is saving that for the next Defence questions.

We need to be looking at the threats that are starting to evolve right across the world, including in Europe. Those threats are increasing dramatically, and we have to ensure that we have the right capabilities to meet them. That is why we have the modernising defence programme to look in detail at how those threats are evolving, and why we are leading that analysis in the Ministry of Defence rather than any other part of Government. We want to come up with the solutions and answers to ensure that Britain and our allies are defended to the very best of our capability.

John Woodcock (Barrow and Furness) (Ind): The Secretary of State knows that it is about not simply the amount of money but when it is made available for key programmes. It was great to welcome him up to Barrow shipyard a couple of weeks back, but does he accept that unless he can persuade the Treasury to release more money for the Dreadnought programme in the crucial early years, we risk the programme being more expensive and potentially late, endangering the continuous at-sea deterrent?

Gavin Williamson: The hon. Gentleman makes a valuable point. It is essential that we have the right resources at the right time to deliver that critical programme. That is why I was so pleased that we were able to secure an extra £800 million in this financial year to ensure that our nuclear deterrent is delivered on time and in budget.

Kirstene Hair (Angus) (Con): As my right hon. Friend will agree, we must adequately fund our armed forces to support those who selflessly put their lives on the line for our country—a concept that the Scottish Government do not seem to understand. Can he update the House on the measures that the UK Government are taking to mitigate Nicola Sturgeon’s Government’s tax hike for those brave service personnel?

Gavin Williamson: It is truly shocking to think that the Scottish National party decided to put that extra taxation burden on our service personnel in Scotland, especially when we asked them not to do so. That is why
we are proceeding with a review rapidly, and we hope to report our findings to the House in the not-too-distant future.

**Douglas Chapman** (Dunfermline and West Fife) (SNP): I am tempted to respond to that, but can the Secretary of State not convince the Treasury that building the Royal Navy support ships in-house at the likes of Rosyth would see a tax revenue gain for the Treasury and help us to retain skills, talent and investment in our shipyards? Is that not what the shipbuilding strategy is all about, or is the Treasury incapable of playing a team game?

**Gavin Williamson**: I thought for a moment that we were going to have an apology to the 70% of service personnel who are having to pay extra taxes as a result of the Nat tax that the hon. Gentleman’s party has introduced.

This Government are absolutely committed to shipbuilding. That is why we will be building eight Type 26 frigates in Glasgow and five offshore patrol vessels in Govan. The hon. Gentleman should welcome that.

**Nia Griffith** (Llanelli) (Lab): A recent profile by BuzzFeed revealed that some colleagues have likened the Defence Secretary to Francis Urquhart, although they suggest that the fictional character may be a bit more sophisticated—they might think that; I couldn’t possibly comment. With Ministers arguing in recent weeks that defence funding should rise north of 2.5%, can the Secretary of State tell us what sophisticated tactics he will be using to get the Chancellor to agree?

**Gavin Williamson**: As a Yorkshireman born and bred, I know that we tend to be quite blunt and plain-speaking, so sophistication is not usually something that is attached to us.

**Philip Davies** (Shipley) (Con): Speak for yourself!

**Gavin Williamson**: They are different in West Yorkshire.

What we are doing is taking the time to look at the threat and the challenges this nation faces. Over the past 10 years, we have seen the threat picture change so much. This is not just something we have noticed; from sitting down with our NATO allies, I know we are all seeing exactly the same. The world is getting increasingly dangerous, with state actors playing an ever greater role. It is right that we look at that closely, and make sure our armed forces have the equipment and resources they need to defend this nation against those threats.

**Nia Griffith**: In January, the Under-Secretary of State for Defence, the right hon. Member for Bournemouth East (Mr Ellwood), who is the Minister with responsibility for defence policy, said that the cap on armed forces pay “has been lifted...and we look forward to the recommendations that will be made in March.”—[Official Report, 29 January 2018; Vol. 635, c. 597.]

Given that it is now June and that this Government continue to be all words and no deeds, will the Secretary of State tell us when service personnel are going to receive the long overdue real-terms pay rise they deserve?

**Gavin Williamson**: It was the Treasury that announced the changes on public sector pay, but we are working very closely with the Armed Forces Pay Review Body to get to the point where we can make such an announcement as swiftly as possible. I and my right hon. Friend the Under-Secretary of State for Defence will be working closely together to ensure that that is done as swiftly as possible.

**Leaving the EU: Defence Policy**

12. **Gavin Newlands** (Paisley and Renfrewshire North) (SNP): What discussions he has had with Cabinet colleagues on the effect on his Department’s policies of the UK leaving the EU.

[905753]

**The Secretary of State for Defence (Gavin Williamson)**: I hold regular discussions with my colleagues on this topic. Europe’s security is our security. We want to work closely with our European partners to keep our citizens safe and defend our shared interests and values, including through NATO and our future partnership with the European Union. Britain was committed to European security long before the creation of the European Union and our membership of it, and we will be committed to the security of continental Europe long after we leave.

**Gavin Newlands**: I thank the Secretary of State for that answer—I think. What discussions has he had with the Scottish Government regarding the potential exclusion and uncertainty surrounding future UK participation in the Galileo project?

**Gavin Williamson**: What we are seeing with the Galileo project is, frankly, the European Union acting in a most unusual and strange way. Why on earth would it wish to exclude Great Britain from a project that is so integral to the security of the whole of the European Union and many other countries? As Britain is currently the largest spender on defence in the European Union, we would have thought that it welcomed our involvement in the project and that it hoped that we would continue to support it, but if it does not want us, we can do this independently.

**Rebecca Pow** (Taunton Deane) (Con): The UK Hydrographic Office, which makes most of the world’s shipping charts, is the only funding arm of the Ministry of Defence. It is based in Taunton, and I am pleased to say that the Ministry of Defence has retained it and is now investing in and helping to support a new state-of-the-art facility. Is this not exactly the kind of asset on which we should be building as we leave the EU to increase our prosperity and influence in the world?

**Gavin Williamson**: I know my hon. Friend fought a major fight to ensure that the investment came to her constituency and to preserve this important asset. It is a brilliant example of how the Ministry of Defence and our armed forces can play an important role not just in supporting defence, but in creating prosperity and jobs.

**Armed Forces: Personnel Levels**

13. **Alex Norris** (Nottingham North) (Lab/Co-op): What recent assessment he has made of trends in the size of the armed forces.

[905754]
The Minister for the Armed Forces (Mark Lancaster): We remain committed to maintaining the overall size of the armed forces, and we have a range of measures under way to improve recruitment and retention. The challenge is kept under constant review.

Mark Lancaster: There have certainly been challenges, particularly with the introduction of the defence recruiting system, but 12,360 recruits joined the British Army last year. I have met the chief executive of Capita on several occasions, and an improvement plan is in place at the moment—I think we need to provide an opportunity for it to be run through—but, absolutely, there is an alternative if need be.

Martyn Day: Before the Scottish independence referendum, the UK Government promised to increase armed forces personnel from 11,000 to 12,500. As of October last year, there were fewer than 10,000 regular forces personnel stationed in Scotland. When will the UK Government keep their promise, or is this just another broken one?

Mark Lancaster: I understand the SNP’s desire to get more service personnel in Scotland, as that is more service personnel they can tax under their Nat tax—[Interruption.] At least the hon. Gentleman finds it amusing. I am pleased to say that there are 14,000 regular and reserve personnel in Scotland. Also, let us not forget that all of the Royal Navy submarines will be moving to Faslane, and there is the new Typhoon squadron in Lossiemouth and our infantry brigade too.

Maggie Throup (Erewash) (Con): Cadet detachments are an ideal training ground for those young people considering a future career in the armed forces. Can my right hon. Friend outline what he is doing to increase recruitment from cadet forces and will he consider visiting my constituency to see the hard work and dedication put in by cadets in Erewash?

Mark Lancaster: We do not directly target cadets for recruitment in the armed forces. However, it is a fact that nearly 18% of members of the armed forces were once cadets and 4% of cadets go on to join the armed forces.

Nia Griffith (Llanelli) (Lab): Potential recruits may well be concerned about the issue of legal claims against personnel and veterans, especially in the light of the Iraq historic allegations team debacle. It is now more than a year since the Conservatives made a manifesto promise to tackle those claims, and the issue has been raised repeatedly by hon. Members on both sides of the House. Why has nothing been done?

Mark Lancaster: Actually, a lot has been done. I appreciate it is now some time since that consultation was completed, but it really is a reflection of the complexity of some of the legal issues. I can assure the House that we will come back in due course.

Topical Questions

T1. [905767] Mr Barry Sheerman (Huddersfield) (Lab/Co-op): If he will make a statement on his departmental responsibilities.

Mr Sheerman: The Secretary of State just confessed to being a blunt-speaking Yorkshireman, so will he give me a straight answer? He must be reeling from the events at the G7 in Canada. Are we prepared and would this country be able to defend itself if America takes its bat home and leaves NATO? Is he talking to the French and the Germans about this?

Gavin Williamson: The United States’ commitment to NATO is unequivocal. They are backing it not just with words but with deeds, and we should be incredibly proud of our long-term alliance with one of our very closest of friends and of the important role they have played in ensuring the freedom of Europe over the last 70 years.

T4. [905770] Peter Aldous (Waveney) (Con): Armed Forces Day in Lowestoft is a very special event, although since the Shoreham air tragedy it has not been possible to have air displays, which are very popular and bring much business to the town. Can the Secretary of State encourage the Civil Aviation Authority to take a proportionate approach to regulation and insurers to charge reasonable premiums?

Gavin Williamson: The Shoreham disaster was an absolute tragedy, but we have to move forward from that. Just at the weekend I was at RAF Cosford and saw the amazing air display that took place there. It shows how such displays can inspire future generations to join the Royal Air Force and play a role in their country’s defence, and I will certainly take the point up with the Civil Aviation Authority.

Fabian Hamilton (Leeds North East) (Lab): The review of the defence fire and rescue service has been running in various forms for 10 years now. With neither of the final two bidders having exactly a glowing past record, does the Secretary of State share my concern that if the contract is outsourced and we see a repeat of the Carillion situation, the consequences could be disastrous?
The Parliamentary Under-Secretary of State for Defence (Mr Tobias Ellwood): I agree with the hon. Gentleman that it has taken too long. I had a briefing on this only last month and we will make progress. I heed the concerns that he raises.

Mr Ellwood: My hon. Friend touches on such an important issue: looking after our veterans, in particular those who are homeless or who feel isolated. The Secretary of State moved forward with a 24/7 support helpline and is launching a new veterans strategy, which will be announced in November. It is important that every local council takes responsibility for having an armed forces champion who looks after those who are homeless and identifies what help can be given.

T2. [905768] Toby Perkins (Chesterfield) (Lab): The Warrior Capability Sustainment Programme is incredibly important for our Army’s capability and for the UK defence industry, so when will we finally get to the production contract stage?

The Parliamentary Under-Secretary of State for Defence (Guto Bebb): We are at the demonstration phase, with 11 being manufactured. It is currently going through a trials programme and we will report back when that is complete.

The Parliamentary Under-Secretary of State for Defence (Mark Lancaster): It is an interesting fact that since the second world war I have been a part of both? I think there have been only two years when the Army has been fully manned. There are challenges, but I am confident that we maintain all our operational commitments. The Army is currently approximately 95% manned, which I think is pretty good, but I am determined to get it up to 100%.

Julia Lopez (Hornchurch and Upminster) (Con): Reports suggest China is fast developing a new generation of military technology, focusing on artificial intelligence and autonomous weaponry, which will soon surpass the capability of the United States. Will the Minister outline what planning is under way with allies to keep up with those advances?

Gavin Williamson: What we are seeing is a number of state actors, not just Russia but China as my hon. Friend outlines, investing heavily in new technologies. It is absolutely right that we do the same, investing in those new technologies not only so we can defeat what they have but to have the capabilities ourselves for our armed forces.

Mr Ellwood: I would be delighted to speak further with the hon. Lady on this matter to see what more can be done.

Mr Mark Francois (Rayleigh and Wickford) (Con): I warmly endorse the Secretary of State’s tribute to the Chief of the Defence Staff, but Sir Stuart Peach did say last week that he was deeply uncomfortable about the process of legacy investigations into veterans. I understand that several years ago, the Ministry of Defence did a lot of detailed staff work into the practicability of the statute of limitations. Would the Secretary of State promise the House that he will ask to see that work and perhaps be able to take it forward?
Mr Ellwood: I am well aware of the campaign not just by the hon. Gentleman, but by others. I am certainly happy to look into it in more detail. He will be aware that there are two components to this—risk and rigour, and avoiding duplication of other medals that have already been given—but I am certainly happy to discuss it further with him outside the Chamber.

Douglas Ross (Moray) (Con) rose—

Mr Speaker: Mr Ross, deliver it as quickly as you raise your flag.

Douglas Ross: Will the Secretary of State please tell my constituents at RAF Lossiemouth and Kinloss barracks when this UK Government will mitigate against the Scottish National party’s Nat tax?

Mr Speaker: Splendid.

Gavin Williamson: I am certainly hoping to be able to report before the summer recess. We are very conscious that so much investment has gone into Lossiemouth and we do not want people to be disincentivised from moving there as a result of the Nat tax that has been imposed upon them.

T8. [905774] Jeff Smith (Manchester, Withington) (Lab): It is now 60 years since Operation Grapple. Is it not imposed upon them.

Mr Ellwood: On the invitation of my hon. Friend, I visited Chivenor and was very impressed with what is happening there. No decision has been made on Chivenor, so please ignore the reports in the media, and I will be more than happy to discuss where things are going with him outside the Chamber.

Gavin Williamson: I can certainly make that commitment to my right hon. Friend.

Mr Ellwood: I am well aware of the campaign not just by the hon. Gentleman, but by others. I am certainly happy to look into it in more detail. He will be aware that there are two components to this—risk and rigour, and avoiding duplication of other medals that have already been given—but I am certainly happy to discuss it further with him outside the Chamber.

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Gavin Williamson: I can certainly make that commitment to my right hon. Friend.
Douglas Chapman (Dunfermline and West Fife) (SNP): In its most recent report on the recruitment plan, the National Audit Office said that the plan was “not affordable”—full stop. The Secretary of State has been given seven recommendations. Which will have the most impact?

Guto Bebb: Once again, we appreciate the work done on that report and are taking it seriously—it is being considered as part of the modernising defence programme—but we state again very clearly that the MOD does not recognise as likely outcomes some of the worst-case scenarios.

Mr John Hayes (South Holland and The Deepings) (Con) rose—

Mr Speaker: Time is against us, but my judgment is that proceedings would be incomplete and the House sorely deprived without an intervention from the right hon. Member for South Holland and The Deepings (Mr Hayes), which I trust will be of its usual poetic quality.

Mr Hayes: I was thinking exactly the same, Mr Speaker.

On behalf of the British nuclear test veterans, and as their patron, I welcome the Minister’s warm words earlier. It is right that we finally remember those who gave so much. Nevertheless, I want a little more. Will the Secretary of State agree to meet me and the veterans to further the case that they should be awarded a medal? Some 1,500 of the 22,000 are left. This generation, by recognising and rewarding those brave people, would be doing a service to theirs—something of which we can be proud.

Gavin Williamson: I would be honoured to meet my right hon. Friend and the test veterans at the earliest opportunity.
Yemen

Mr Speaker: I note in passing that today is the 31st anniversary of the election to the House of a number of right hon. and hon. Members still serving, including—there is a piquancy about mentioning this—the right hon. Member for Leicester East (Keith Vaz). I call Mr Keith Vaz to ask the urgent question.

3.36 pm

Keith Vaz (Leicester East) (Lab) (Urgent Question): To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the reports of an imminent attack by the Saudi-Emirati-led coalition on the port of Hodeidah and the humanitarian impact of such an attack.

The Minister for the Middle East (Alistair Burt): I congratulate the right hon. Member for Leicester East (Keith Vaz) on both his length of service and his question. Last Thursday, it was 35 years since I was first elected to the House—so there are a few of us old ones knocking around.

Mr Speaker: I would say long-serving rather than old.

Alistair Burt: On these occasions, I am grateful that you have such a gift for words, Mr Speaker.

On a serious matter, reports have been circulating for some time of a possible assault on either Hodeidah or Hodeidah port. Information at the beginning of last weekend, including from troop movements, suggested that such an attack might be imminent. In view of our responsibilities to aid agencies, the Department for International Development issued a statement based on that information. It read:

“We are doing everything we can through diplomatic channels to discourage an assault on Hodeidah. However despite these actions, a military assault now looks imminent. The Emiratis have informed us today that they will now give a 3-day grace period for the UN [and their partners] to leave the city. Please take all precautions necessary to prepare for this and let us know if there is anything we can do to assist you in any way. We are thinking of you and your staff at this very difficult time.”

That is the email that was reprinted in The Guardian today.

The Government are and have been concerned about the potential impact of any assault on the city and port of Hodeidah for some time and have made their concerns clear to the Saudi and Emirati Governments. The UN assesses that an attack on Hodeidah could displace up to 350,000 people and leave hundreds of thousands of Yemenis without access to basic goods or healthcare. The Foreign Secretary spoke to his Saudi and Emirati counterparts over the weekend, and we are in close touch with the UN humanitarian co-ordinator and the UN special envoy.

The majority of Yemen’s food and fuel imports enter through Hodeidah and Saleef ports and it is crucial that humanitarian and commercial imports continue to flow through the port. We urge all parties to facilitate access for essential imports of food, fuel and medical supplies into the country, including through Hodeidah. As with all aspects of the conflict, all parties must respect international humanitarian law and protect civilians.

No attack has yet taken place. Accordingly, we continue to urge all sides to de-escalate as a matter of urgency and to engage in the political process in good faith. The UN special envoy has previously expressed concern that conflicts in Hodeidah could take peace off the table “in a single stroke”. It is essential for him to be given the time that he needs to facilitate a negotiated solution that avoids conflict in the city and we support his efforts to do so.

It is important to recall the wider conflict. The conflict in Yemen is now in its fourth year. Houthi rebels took over the port of Hodeidah for some time and have made their concerns clear to the Saudi and Emirati Governments. The Houthis have consistently failed to adhere to UN Security Council resolutions: they have, for instance, launched missile attacks on Saudi Arabia, prevented access to humanitarian supplies—which has led to significant damage to civilians—and prevented vital vaccinations.

We have been clear about the fact that there can be no military solution to the conflict. We continue to encourage all parties to show restraint, to return to negotiations and to engage in the UN-led political process in good faith, to work towards a comprehensive political settlement.

Keith Vaz: Thank you for granting the urgent question, Mr Speaker, and for your kind words. I also thank the Minister for what he has said.

The port of Hodeidah accounts for the entry of between 70% and 80% of humanitarian aid. As we have just heard, it is at risk of an imminent military assault by forces supported by the Saudi and Emirati-led coalition—a coalition strongly supported by this Government, who, of course, supply it with arms.

The three-day period that has been given to the aid agencies is simply not enough. Hodeidah has been the last lifeline to Yemen’s civilians since the conflict began—2.2 million people are in need of urgent humanitarian assistance—and an attack on the port would be a catastrophe. The United Nations estimates that it could lead directly to the deaths of a quarter of a million people, roughly the population of the city of Leicester. It would devastate the peace process. As we heard from the Minister, Martin Griffiths, the UN envoy to Yemen, who has just taken up his post, has said that such an assault “would, in a single stroke, take peace off the table.”

Will the Minister ask the Prime Minister today, after her statement to the House, to speak to Mohammed Bin Salman of Saudi Arabia and Mohammed bin Zayed Al Nahyan of the United Arab Emirates, and tell them that they must immediately stop the military preparations for the offensive? Will he instruct our UN ambassador, Karen Pierce, to convene an emergency meeting of the Security Council to discuss this matter? At that meeting or before it, will the Government make a statement directly condemning an attack on Hodeidah and calling for a ceasefire as a matter of urgency?

Will the Minister convene, as a matter of urgency, a meeting of the Quint nations on Yemen this week? That was promised several months ago. Finally, if an attack on the port does take place—against the wishes of our Government—will we reconsider our support for the coalition, or in what way will we ensure that the peace process succeeds?
I know that the eyes of the world are on Singapore at this moment, but they should be on Hodeidah. Failure to take this action will lead to more slaughter of innocent Yemenis, and will be a stain on the conscience of Ministers, the Government and the House.

Alistair Burt: Obviously, we share much of the concern expressed by the right hon. Member for Leicester East. That is why we have consistently made the case to the coalition that an attack on Hodeidah could have very serious displacement effects, and we have expressed our concern over a lengthy period. We will continue to do so. The Foreign Secretary did so over the weekend and those conversations will continue. I stress that no attack has yet happened and, even as we speak, the UN special envoy is engaged with both sides to see whether anything in the imminence of circumstances might move the negotiations along.

I have made the case to the House before that this is not a one-sided conflict. Areas under Houthi control have prevented humanitarian access. Abuses of international humanitarian law have occurred. The Houthis stop vaccinations and steal medical supplies.

The coalition came into effect to restore legitimate government to the people of Yemen. We have expressed our concern about any action taken by the coalition that might be in breach of international humanitarian law. We will continue to do so. The Foreign Secretary is in contact with other members of the Quint and those who are concerned about potential action. However, it remains the case that a negotiated solution could still be found. We are continuing to urge that the UN special envoy has the space to be able to do that. That has been our consistent approach over a lengthy period and we will continue to do that.

Several hon. Members rose—

Mr Speaker: Order. A good many colleagues are seeking to catch my eye and this matter is urgent, which is why I granted the question, but there are two important ministerial statements to follow and, unusually, today it may not be possible to accommodate all who wish to take part. However, participation will be maximised if questions and answers are brief. To be blunt, there is no time for preamble.

John Redwood (Wokingham) (Con): Is Iran involved on one side in this conflict and is that a complication in the wish to find not only a brokered peace in Yemen but a solution to the Iranian situation?

Alistair Burt: My right hon. Friend is right: Iran does have a relevance to this conflict. It is engaged in supplying weaponry and support to the Houthis and we have consistently called on Iran to recognise the damage and danger done through its actions. It is still possible that Iran can be part of the solution and part of the answer to the conflict, as many parties that take part in conflicts clearly are.

Fabian Hamilton (Leeds North East) (Lab): Thank you, Mr Speaker, for granting this urgent question. I congratulate my right hon. Friend the Member for Leicester East (Keith Vaz), the chair of the all-party group on Yemen, on securing it.

There is a bitter sadness in the fact that, less than three weeks ago, we were welcoming the publication of the all-party group’s latest report, a blueprint for bringing about a peaceful political solution to this terrible conflict and an end to the humanitarian crisis, yet here we are, 20 days later, facing the exact opposite—an attack on Hodeidah by the UAE, which according to the UN envoy, Martin Griffiths, will “in a stroke, take peace off the table.”

And not just that but, as has already been observed by Members on both sides and by every aid agency working on the ground, this planned attack will not just threaten the lives of the hundreds of thousands of civilians living in Hodeidah, but turn the humanitarian crisis facing the rest of Yemen into a full-blown humanitarian disaster. Why is this happening? After all, we are used to hearing the mantra in these debates that “There is no military solution to the conflict in Yemen.” However, let us be clear what that actually means. What it means is that we take it on trust that the Saudis and the Emiratis have the good sense and humanity to understand that any conceivable military solution would cause such catastrophic loss of life that both politically and morally it would be impossible to pursue. But that, I am afraid, is exactly what we now face in Hodeidah.

Trusting to the good sense and humanity of the UAE and the Saudis is therefore clearly no longer a viable option, so may I ask the Minister today whether, at the emergency session of the Security Council due to take place in a matter of minutes, the UK will take action and table an immediate resolution demanding that the UAE stop this assault on Hodeidah before it is too late, and will he immediately suspend the sale of arms for use in this conflict?

Alistair Burt: The United Kingdom will continue to do what it has done for a lengthy period, which is to seek to discourage any attack on Hodeidah or on the port. The Foreign Secretary has been engaged in this over the weekend, we will continue to be so and that same case will be made through the United Nations.

In relation to arms sales and the like, I remind the House again that this is covered by international humanitarian law. Any suggestion of breaches of that will be subject to the law, as always, and the UK will continue to consider any possible risk of that in any future arms sales.

Tom Tugendhat (Tonbridge and Malling) (Con): I am delighted to see my right hon. Friend joined on the Front Bench by my right hon. Friend the Secretary of State for International Development and the Under-Secretary of State for Defence, my right hon. Friend the Member for Bournemouth East (Mr Ellwood); they demonstrate the joined-up effort that needs to go on here. However, has my right hon. Friend the Minister for the Middle East had time to urge our defence attachés in the region to emphasise to the Emiratis that taking a city of 400,000 is not an easy task? Having served in the operation that captured Basra 15 or so years ago, I can assure him that the invasion is the easy bit; it is the governing it afterwards that makes life incredibly hard.

Alistair Burt: My hon. and gallant Friend speaks from experience. I can assure him that everyone who has been in contact with the coalition in relation to this
has done exactly what he and everyone else in the House would expect in terms of expressing concern about how any assault might be carried out and the dangers involved. That is why we have sought to discourage an attack. The port and the city are separate—they may be separate targets—but our advice has been consistently the same in that we seek to discourage such an attack.

**Chris Law (Dundee West) (SNP):** The United Kingdom Government must decide which side of history they want to be on. The imminent Saudi-led attack on Yemen’s largest port, Hodeidah, is set to cut off essential food, fuel and medical supplies, and the United Nations has estimated that “as many as 250,000 people will lose everything—even their lives.” Can the UK Government therefore unequivocally assure the House that no UK personnel will assist in this attack and that no UK-made weapons or equipment will be used? Do the UK Government agree that they must take the side of Yemeni civilians over Saudi Arabia and that this attack will be a line in the sand for the UK’s support for the coalition campaign? Given the imminent threat of major loss of life and starvation to an entire nation, will this Government finally and immediately cease all arms sales to Saudi Arabia? This is not in our name. Will the UK Government do the right thing, or will they go down in history as having blood on their hands?

**Alistair Burt:** In this House, mention is hardly ever made of the humanitarian abuses by the Houthi forces, with which the coalition is engaged, after the insurgents sought to remove a legitimate Government. There have been violations such as attacks on civilians in Aden and Taiz, intimidation of UN ships attempting to dock in Aden, the use of schools and hospitals for military purposes, the use of child soldiers, the targeting of aid workers and the imposition of restrictions on humanitarian access. We are on the side of Yemeni civilians—[Interuption.] We are on the side of Yemeni civilians who face those things in Houthi areas every day. I repeat what I said earlier: we will continue to use our influence to discourage any attack on Hodeidah port. It would be nice to hear something about the Houthis every now and again from different sources.

**Crispin Blunt (Reigate) (Con):** Along with the rest of the UN Security Council, we are unanimously on the side of the Saudi-led coalition, which is trying to bring order to Yemen in the face of the Houthi rebellion. As we have heard from the chairman of the all-party parliamentary group on Yemen, the right hon. Member for Leicester East (Keith Vaz), the port accounts for 70% to 80% of the imports into Yemen. Surely, our policy should be to aid the coalition we are supporting to take control of the port and the access into Yemen.

**Mr Speaker:** Order. We are short of time, and I have tried to make the point that if people asked short questions and got short answers, we would get through everybody.

**Alistair Burt:** My hon. Friend makes a serious point about the tactics being used to try to bring this conflict to a conclusion. Only a conclusion and a peace settlement will truly serve the interests of the people of Yemen. It is not for the United Kingdom to get involved in those tactics, but my hon. Friend makes a point about access to the port and how that can be used to benefit civilians.

**Mr Alistair Carmichael (Orkney and Shetland) (LD):** Surely, though, unconditional support for the Saudi-Emirati coalition will never bring us to a point at which we can legitimately and credibly say that there is no military solution to this conflict.

**Alistair Burt:** Seeking to discourage an attack on Hodeidah is hardly unconditional support.

**Henry Smith (Crawley) (Con):** What estimate has the Minister made of the amount of rockets and other munitions that have been fired by the Houthis into Saudi Arabia during the four years of the Yemeni conflict?

**Alistair Burt:** It is difficult to say. A recent rocket attack killed three Saudi civilians, and there have been a number of different attacks. Attacks on the airport and the royal palace in Saudi Arabia have been prevented. Should one of these missiles land on such a target, the whole circumstance in the middle east would change radically.

**Stephen Twigg (Liverpool, West Derby) (Lab/Co-op):** The Minister is of course right to condemn the Houthis; I have never heard any Member of this House defend them. The reason for the focus on the Saudis and the Emiratis is that we are allied with them. Can I press him to answer the question from my right hon. Friend the Member for Leicester East (Keith Vaz) about clearly condemning this proposed attack, and will the Prime Minister speak to the leaders of Saudi Arabia and the United Arab Emirates as a matter of urgency?

**Alistair Burt:** I am grateful to the hon. Gentleman for what he said about the other side of this conflict, because it refers to why the coalition is engaged in the first place and why the UK should recognise its right to act to defend Yemeni civilians. We will continue to discourage action, and I will of course take the requests of the hon. Gentleman and the right hon. Member for Leicester East (Keith Vaz) to the Prime Minister.

**John Howell (Henley) (Con):** Some 22 million people in Yemen are in need of humanitarian aid. How can we deliver that aid when we are in the middle of a proxy war between Iran and Saudi Arabia?

**Alistair Burt:** It is difficult, but we have remarkable people who seek to deliver UK aid. On 3 April, we pledged an additional £170 million to Yemen to cover the financial year 2018-19, and we are the fourth largest donor to the UN appeal, but we should all remember the courage and bravery of the aid agencies that are working to deliver aid in difficult circumstances.

**Hilary Benn (Leeds Central) (Lab):** Is there any prospect of the UN special envoy’s proposal to deal with the problem, which is to hand over control of the city and/or the port to the international community, making any progress?

**Alistair Burt:** The right hon. Gentleman asks a good question. There are several different possibilities for resolving the situation peacefully, but that possibility is...
certainly being discussed by various parties. Anything that allows a negotiated end to circumstances that cannot provide an answer for one party or the other should be encouraged.

Mr Philip Hollobone (Kettering) (Con): The sooner this port is out of the control of the Iranian-backed Houthis, the more aid will get to civilians in Yemen. Why did the UN refuse to accept the requests from the Saudi-led coalition in March last year and April this year for the UN to take over supervision of the port? If the UN will not do that, surely there is no alternative but for the Saudi-led coalition to do it.

Alistair Burt: My hon. Friend makes the point that various offers have been made to bring the situation to a conclusion and for a peaceful solution to Hodeidah port, which requires the Houthis to do something in response to the entreaties made, but that has not happened so far. If the Houthis were to do so in the next 48 hours, that would make a significant difference.

Graham P. Jones (Hyndburn) (Lab): The UN has made various calculations. I referred in my statement to the fact that some 350,000 Yemeni soldiers. The Houthis are currently laying mines at the airport, and they are escalating the conflict in Hodeidah. They have mined the port, which has significantly reduced the amount of aid that can get in, and if they destroy it, that will adversely affect Yemen. If the Houthis blow the port up, would that constitute a war crime?

Alistair Burt: The hon. Gentleman’s knowledge is extensive. The Houthis might do just that, which is a demonstration of the dangers that have been caused by Houthi control of the port and other areas and one of the reasons why the coalition is engaged.

Tom Brake (Carshalton and Wallington) (LD): What assessment have the UK Government made of the number of people who will be killed or become refugees if the attack takes place? In what way is that influencing UK policy?

Alistair Burt: The UN has made various calculations. I referred in my statement to the fact that some 350,000 people might be displaced. It is not necessarily a question of numbers, however. Should an attack take place and people become displaced, we are all aware that the impact would be considerable. That is why we have sought to discourage the attack and to encourage a negotiated end to the conflict for the benefit of the Yemeni people.

Mr Kevan Jones (North Durham) (Lab): A negotiated settlement is clearly the only way forward, but what more pressure can be put on Iran, which is fuelling the conflict by supplying missiles and other armaments to the Houthis? If pressure was put on the Iranians, surely we could get some movement towards a settlement.

Alistair Burt: Iran is aware of the international concern about the role it is playing and about some of the areas where it is alleged to be playing a role. That pressure is being applied, and Iran has an opportunity here to demonstrate that it wishes to play a less disruptive role in the region.

Diana Johnson (Kingston upon Hull North) (Lab): Following on from the question from my hon. Friend the Member for Hyndburn (Graham P. Jones), if the port were taken out of action by an attack, would that be a breach of international humanitarian law?

Alistair Burt: It depends entirely on the circumstances. If deliberate starvation is caused as an act of policy, that is a breach of international humanitarian law. Should the Houthis decide to destroy the port, which they are being driven away from, purely to cause such action, that would probably be such a breach.

Richard Burden (Birmingham, Northfield) (Lab): The Minister, once again, has said there can be no military solution to this conflict, but would not an attack on Hodeidah mean a military solution is precisely what the coalition is intending to impose, irrespective of the cost in human lives? If he is not able to secure the guarantees he has been seeking on access to Hodeidah and humanitarian supplies, what action will the UK Government take to enforce international law?

Alistair Burt: In an active conflict, one side or the other often believes that, even though a military solution is not possible, military pressure may lead to a negotiated outcome more quickly. This happens in conflicts in many places. I repeat our view that no overall military solution is possible and that negotiation is best.

Lloyd Russell-Moyle (Brighton, Kemptown) (Lab/Co-op): The Minister is of course right to condemn the jihadi Houthis, but will an attack on the port not push them into the city, causing far more deaths? Will the British Government draw a red line under this and ensure that no UK personnel service these weapons?

Alistair Burt: We will continue to discourage such an attack, and we urge the Houthis to take the opportunity for negotiations that is currently available.

John Woodcock (Barrow and Furness) (Ind): Is it not right that this deeply perilous attack could be avoided if the UN took a more robust stance against the way the Houthis are deliberately squandering aid to starve their own citizens and create a worsening humanitarian crisis?

Alistair Burt: Again, I am grateful to the hon. Gentleman, who has knowledge of these things and is prepared to express it. Houthi conduct has been devastating to the people of Yemen. The Houthis have an opportunity to end such a conflict and take part in negotiations for a peaceful future.

Mike Gapes (Ilford South) (Lab/Co-op): Can the Minister confirm that Iranian naval vessels are supplying the Houthis? Can he also confirm that Hezbollah is also engaged in supporting the activities of the Houthis?

Alistair Burt: I have no direct information to confirm precisely the terms that the hon. Gentleman uses. These allegations have been made, and we are aware that the UN special panel did indicate that missiles used by the Houthis were of Iranian origin.
Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): I cannot recall operations on this scale having previously been conducted by the Saudis or the Emiratis. Given that the excuse often given for civilian casualties is that they have not previously conducted air campaigns, what hope does the Minister have that we will not be in that same disastrous situation after this operation?

Alistair Burt: The hope we have expressed to the coalition is that such an attack does not take place and is discouraged. That has been the consistent position of the UK Government.

Gill Furniss (Sheffield, Brightside and Hillsborough) (Lab): When will the Government realise they will have blood on their hands if they continue to co-operate with the Saudi-led coalition, not least by selling it the arms it is using to kill hundreds and thousands of civilians indiscriminately?

Alistair Burt: I am grateful that this afternoon there have been a number of illustrations of activities by the Houthis that have caused severe damage to the Yemeni population. The House needs to understand there are two sides to this conflict, which is why the coalition has been involved.

Joanna Cherry (Edinburgh South West) (SNP): As the UN and other non-governmental organisations are leaving the port, how will the UK deliver humanitarian aid to alleviate the suffering in the absence of operational partners?

Alistair Burt: The hon. and learned Lady asks a perfectly fair question. If we have information in relation to an attack, our responsibility is plainly to let those who might be affected know. As soon as such a danger has passed, aid agencies will be able to move back. Again, this is another reason why we have sought to discourage such an attack.

Andy Slaughter (Hammersmith) (Lab): The UAE is only one force in the Gulf that is increasing belligerence and destabilisation, but it is a very close ally of this country. Why are the Government not either using their influence with the UAE or reconsidering some of those links and co-operation? They appear to be doing neither at the moment.

Alistair Burt: As I have indicated, we have been in contact with the parties in the coalition over a lengthy period. The Foreign Secretary has been in contact with them this weekend, and it has been our consistent position to seek to discourage the attack on Hodeidah, while understanding what drove the coalition to be involved in the first place, which is to seek to defend the Yemeni people.

Nick Smith (Blaenau Gwent) (Lab): How many British citizens are currently working on aid programmes in Yemen, and what steps are the Government taking to protect them?

Alistair Burt: Very few UK citizens are involved in the aid programmes; my right hon. Friend the Secretary of State has had a meeting on that, and they have been given the same information as others on the availability of leaving. Obviously, the circumstances of UK aid workers is a matter of priority, as are those of other aid workers. That is why we issued our warning notice.

Jim Shannon (Strangford) (DUP): I thank the Minister for his response. What talks are taking place between all those involved in Yemen’s daily life? Coming from Northern Ireland, I recognise the importance of all sides being engaged in talk-talk, rather than war-war. Where is the peace process?

Alistair Burt: The peace process is in the hands of the UN special envoy, Martin Griffiths. Since his appointment in March, he has been working hard to get through to both sides and find a way in which he can put a proposal to them. I understand that he is coming back to the UN Security Council shortly to do just that. It is possible that the events that are currently going on might concentrate minds and assist that process—we earnestly hope so.
The Prime Minister (Mrs Theresa May): With permission, Mr Speaker, I would like to make a statement on the G7 summit in Quebec. The G7 is a forum that allows close allies with shared history and values to discuss issues that affect the security and prosperity of our people, and of the world at large. Discussion at this year’s summit focused on our shared efforts to promote the rules-based international order; to advance free and fair global trade by making the global economy work for everyone; to strive for equal opportunities for all our citizens; and to drive further action to protect the environment, and, in particular, our oceans.

As was clear over the weekend, there was strong debate and disagreement on some issues. But after detailed discussions between both leaders and our teams, we were able to find common ground and draw up a communiqué that reflected those discussions and the agreements we reached. I want to pay a particular tribute to Prime Minister Trudeau for his leadership and skilful chairing, which enabled us, after two days of negotiation between leaders, to agree actions and a shared approach on some of the most pressing challenges facing the international community and our citizens. The United Kingdom fully intends to honour the commitments we have made.

Recent events have underlined the importance of a strong international response to malign state activity. We cannot stand by when international law is undermined, when the security of our citizens is compromised and when foreign interference in our democratic institutions threatens the values and interests that we share. So at this summit we agreed to establish a new rapid response mechanism. As a result, G7 nations will work together to share intelligence, co-ordinate action and develop new strategies to tackle this growing threat. We also agreed that we must maintain the global norm against the use of chemical weapons and that we will strengthen the ability of the Organisation for the Prohibition of Chemical Weapons to attribute responsibility for chemical weapons attacks. We all agreed in our discussions and our communiqué that we need to maintain sanctions on Russia, in the light of its failure to fully implement the Minsk agreements in Ukraine, and that we stand ready to take further restrictive measures if necessary.

Turning to trade and the global economy, it is clear that in many of our countries some people feel left behind by globalisation, and not all countries are playing by the rules. We must address that. We need to make the international rules-based trading system work better, so that the benefits of free trade can be felt by all. That includes encouraging the World Trade Organisation to operate more effectively in supporting a global economy that works for everyone. Multilateral action is the right way to achieve this; it cannot be done by taking unilateral action against our partners. So at this summit we expressed deep disappointment at the unjustified decision of the United States to apply tariffs to steel and aluminium imports. The loss of trade through tariffs undermines competition, reduces productivity, removes the incentive to innovate and, ultimately, makes everyone poorer. In response, the EU will impose countermeasures, but we need to avoid a continued tit-for-tat escalation. That is why it was right that we had such an open and direct discussion at this summit and why, as a champion of free trade, the UK will continue to support a constructive dialogue. As long-standing allies, we do not make progress by ignoring each other’s concerns; rather, we do so by addressing them together.

Turning to equality, there was a special session at this summit focused on empowering and supporting women and girls around the world. Efforts to tackle global poverty are fundamentally undermined for as long as millions of girls are not getting the education they deserve. So at this summit the United Kingdom announced £187 million of new funding to support over 400,000 girls in developing countries in getting 12 years of quality education.

We also called for new action to prevent gender-based violence, abuse and harassment online. Women and girls must be able to use the internet without fear of being subjected to online rape threats, harassment, cyber-stalking, blackmail and more.

Following the UK’s call for action last year, tech companies have made real advances in tackling online terrorist propaganda, so in Canada I called for this work to be extended to end the abuse targeted specifically at women and girls. We committed in particular to new joint working on stopping the internet being used to facilitate people trafficking for the purposes of sexual exploitation.

Finally, on World Oceans Day, the UK sought to build on the international agreements we reached at the Commonwealth summit in April by calling for a global effort to protect our oceans from avoidable plastic waste. This is one of the great environmental challenges facing the world today. The summit recognised the need for global action, including work with business, industry and non-governmental organisations, to find innovative solutions. The UK is continuing to lead by example at home through our 25-year environment plan, and on Friday we proposed to extend the blue belt protecting sea life around the English coast with a further 41 new marine conservation zones.

This was a difficult summit with, at times, some very candid discussions, but the conclusion I draw is that it is only through continued dialogue that we can find ways to work together to resolve the challenges we face. The countries round the G7 table have been pillars of the rules-based international order, which has benefited all our citizens and, I believe, the world as a whole. The United Kingdom, with our allies and partners, will continue to play our part in promoting that order to the benefit of all. I commend this statement to the House.
by a President committed to his slogan, “America first”. That has meant a dismantling of multilateral agreements, pulling out of the Paris climate change accords, the destabilisation of the Iran nuclear deal and the imposition of tariffs on steel and aluminium.

Attempts by G7 leaders, including President Macron and the Prime Minister, to engage with President Trump have resulted in no discernible moderation or deviation from “America first”. In these circumstances, it is clearer than ever that UK policy, whether trade or foreign policy, cannot be outsourced to the US. Will the Prime Minister join me in condemning the comment of President Trump’s trade adviser that: “There’s a special place in hell” for Justin Trudeau?

The use of chemical weapons, whether on the streets of Salisbury or in the cities of Syria, is deplorable, and the perpetrators of these crimes must be held to account under international law. The leaders of France and Germany, and NATO chief Jens Stoltenberg, are right to call for continued political dialogue through the NATO-Russia Council. Will the Prime Minister commit to lead on establishing that dialogue at the NATO summit next month?

For European countries, it is vital that unity is maintained, both in support of the Iran nuclear deal and over trade policy. UK jobs are dependent upon our exports, and it is therefore vital that we robustly defend those interests with multilateral agreed action. However, this must not descend into escalating a tit-for-tat trade war, so what steps are the Government taking with our allies to mitigate that threat?

That is not the only threat to our exporting industries and skilled jobs in this country. In the current climate, that puts a particular obligation on each of us in the Chamber as we consider the European Union (Withdrawal) Bill this week. We must act to guide the Government in negotiations so that our industry, our workers and our communities get the best possible Brexit deal. That concern must be even more acute in the light of the announcement by Jaguar Land Rover that the production of the Discovery model will now happen in Slovakia.

While she was at the G7, did the Prime Minister raise with European leaders the crisis of the Aquarius ship, which the Italian Government refused to allow to dock? I want to put on record my thanks to the Spanish Government and Prime Minister Pedro Sánchez for showing humanity in accepting the rescue ship.

I welcome the fact that the Prime Minister raised the issue of online abuse and the harassment of women and girls as a global problem, but will she today commit to begin negotiations immediately with political parties in Northern Ireland to bring forward legislation to extend abortion rights and end what the United Nations has denounced as a violation of international human rights standards?

On the environment, the Prime Minister’s wafer-thin so-called national plan fails to match her rhetoric on the global stage. There was nothing to tackle deadly levels of air pollution in our cities or the disgracefully low levels of recycling in this country. We can only ever mitigate that threat?

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On the environment, the Prime Minister’s wafer-thin so-called national plan fails to match her rhetoric on the global stage. There was nothing to tackle deadly levels of air pollution in our cities or the disgracefully low levels of recycling in this country. We can only ever be taken seriously abroad if we speak from a position of moral authority and respect and without any double standards. I appeal to the Prime Minister again today finally to suspend UK arms sales to Saudi Arabia. With a more unilateral United States Government, it is more important than ever that we work with our allies and that we do so based on social justice, equality and human rights.

The Prime Minister: The right hon. Gentleman raised a number of issues, some of which were not on the agenda of the Quebec summit. I will do my best to address the issues that actually were on that agenda.

The right hon. Gentleman talks about the environment and the 25-year environment plan here in the United Kingdom. In fact, the United Kingdom is seen throughout the world as a leader on many environmental issues, not least in the work that we have been doing in relation to plastics. I was pleased to get agreement at the Commonwealth Heads of Government meeting on action that we are taking in relation to clearing our oceans of plastics. It was important that there was agreement from the G7 as well that action should be taken on this issue. As a Commonwealth country, we have a responsibility in this regard. Many small island states in the Commonwealth are already feeling the problems caused by this issue, especially in the impact on their oceans, and it is important that we act on that issue.

The right hon. Gentleman talked about the relationship with Russia. As we have discussed, and as I said in my statement, it is important that we recognise the need to maintain sanctions on Russia given that the Minsk agreements have not yet been fully put into place and that we stand ready to take further restrictive measures if necessary. He said that Russia plays a role in Syria. Indeed, Russia does play such a role. What we want to see is that the efforts to bring about a political solution and future stability and security for Syria and the Syrian people come through continuing the United Nations process.

The right hon. Gentleman asked about the attitude of the United States of America and whether we are working together as allies. We should, of course, look at the recent action that the US has taken in support of the United Kingdom. It expelled a number of Russian diplomats in solidarity with us after the Salisbury incident, as indeed did other countries around the world. The Americans have recently taken action on Russia by imposing more sanctions.

What is important is that we are able to sit down and talk about these issues together, share the information that we need to share and determine the way forward. On the steel and aluminium tariffs, I was very clear—I have been clear directly to President Trump and I have been clear in this House and elsewhere—that they are unjustified, and the European Union will take countermeasures on them. We want to ensure that we can get a dialogue going forward so that we do not simply see a continuous tit-for-tat escalation on these measures, because that is in the interests of nobody. We will be playing our part, as we have done already, in discussions with others around the European Council to ensure that the EU is able to take the right proportionate action in line with the World Trade Organisation rules. Of course, the EU is taking a case at the WTO on this very issue.

The right hon. Gentleman talked about the importance of trade, saying that this country depends on exports. Well, of course we are an exporting country. I want to see more companies around the United Kingdom exporting.
The Department for International Trade and the Secretary of State are doing excellent work in increasing the number of companies that are exporting around the world. But if we are going to export around the world, we need to be able to ensure that we are negotiating trade deals with other countries and that we negotiate a good trade deal with the European Union, but that we are free to negotiate the trade deals that are in our interests.

The right hon. Gentleman may stand up here and talk about the importance of exports, but it is of course the Labour party’s policy to put the United Kingdom into a relationship with the European Union that would mean that, without being a member of the EU, we would hand over the negotiation of trade deals to the EU. That would certainly not be in our interests.

Mr Kenneth Clarke (Rushcliffe) (Con): Does not last week’s summit sadly demonstrate that President Trump has little or no time for multilateral meetings or multilateral agreements, and no time at all for the WTO and its rules, and that he wants to take steps that he hopes will force rich and developed countries like ours to export less to the United States and to import more from politically-sensitive sectors of the American economy? Does not the Prime Minister reflect on last week’s unfortunate events and think about when she negotiates in Europe? Although things are going to change when we leave the European Union, does she not think that we must keep frictionless trade and as many qualities of a single market, customs union and totally free trade as we possibly can, because we are probably going to need it more in the near future than we have in the past?

The Prime Minister: As my right hon. and learned Friend will know, we have set out very clearly the objectives we have for our future customs arrangements with the European Union, which indeed reflect having as frictionless trade as possible, alongside being able to negotiate our own trade deals with an independent trade policy and having no hard border between Northern Ireland and Ireland. As we leave the European Union, we want to ensure that we have a good trading relationship with the EU, but we also want to have an independent trade policy that enables us to negotiate trade deals around the rest of the world.

Ian Blackford (Ross, Skye and Lochaber) (SNP): I thank the Prime Minister for the advance copy of her statement.

I will start by congratulating all those who marched yesterday in Edinburgh, Cardiff, Belfast and London to celebrate 100 years of the women’s vote. It is very fitting that the G7 had such a strong focus on advancing gender equality and women’s empowerment. As he said, there was the important declaration on increasing education for all, and to dismantling the barriers to access to education. That was an important commitment from all those around the table.

The right hon. Gentleman ended up by talking about trade deals and the possibility of a trade deal with the United States of America. We have committed, when we have an independent trade policy, to ensuring that we are able to put in place trade deals around the rest of the world. The United States has been speaking to us about the possibility of such a trade deal. Of course, when we negotiate with the United States, or indeed any other country around the world, we will be ensuring that we negotiate in the interests of the United Kingdom. But we do believe that that free trade—those open markets—is the best way to bring prosperity, to bring jobs, to encourage competition, to increase productivity, and to encourage innovation, which, at the end of the day, is what advances medicine and advances people’s lives in so many different ways. We will be looking forward, as I say, to making sure that we do trade deals that are firmly in the interests of this country.

Mr Iain Duncan Smith (Chingford and Woodford Green) (Con): Does my right hon. Friend agree that global free trade has been the single biggest reason why poverty around the globe has fallen so dramatically over the past few years, and that the UK, as an exponent of free trade, stands on that position and wants to address the dire and deteriorating situation in the Gaza strip. The urgency could not be more apparent, as the UN has been clear that the Gaza strip will be uninhabitable by 2020.

On matters of the global economy, the G7 sought to invest in growth for all. Underlining the role of rules-based international trading systems and continuing to fight protectionism drew a wall of intransigence from the President of the United States. The summit may have been a diplomatic disaster, but in an increasingly fractured world the cooperation of world leaders is essential if we are to strive for peace and prosperity.

Before going to Ottawa, the Prime Minister was pushed around by her hard Brexit supporting Ministers; some might say that she was Trumped. The looming trade war with the US demonstrates the weakness in the so-called special relationship, and I associate my remarks with the observation made by the right hon. and learned Member for Rushcliffe (Mr Clarke). Does not the Prime Minister agree, following the chaotic summit she attended at the weekend, that her Brexiteer sidekicks’ belief that this Government can secure a trade deal with the US post Brexit is simply delusional?

The Prime Minister: First, I add my congratulations to those of the right hon. Gentleman to all those who took action to recognise the 100 years’ anniversary of women getting the vote. This is a very good year for women in politics. We should continue to recognise that anniversary.

There was indeed, as the right hon. Gentleman said, a focus at the Charlevoix summit on the question of gender equality and women’s empowerment. As he said, there was the important declaration on increasing opportunities for at least 12 years of safe and quality education for all, and to dismantling the barriers to girls’ and women’s quality education, particularly in emergencies and in conflict-affected and fragile states. We also recognised that marginalised girls, such as those with disability, face additional barriers in maintaining access to education. That was an important commitment from all those around the table.

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advance it? So apart from the particular place in hell that Mr Trudeau apparently must occupy, did she hear, as I saw in a report today, that the American delegation maintain that they offered unilateral free trade to all the G7, but that this was rebuffed? Does she recall that particular conversation?

The Prime Minister: My right hon. Friend is absolutely right that free trade is one of the best ways of ensuring that developing countries are able to move themselves out of poverty and improve the lot of their populations, and it is very important that we continue to advocate it. There was a discussion about the possibility of completely open and free trade, but open, free and fair trade. That means not just tariff-free but also dismantling barriers to trade. It also means ensuring that there are no anti-competitive, unfair subsidies.

Hilary Benn (Leeds Central) (Lab): With bitter divisions on trade and the imposition of tariffs by the US that are indeed undermining the international rules-based order of which the Prime Minister spoke, what impact does she think this will have on the timing and the content of any trade deal with the United States of America, bearing in mind that the backstop proposal she published last week for Northern Ireland will mean that we are going to be remaining in a customs union with the European Union until the end of 2021, and possibly for longer?

The Prime Minister: In relation to the timing of trade deals with America, or indeed with any other country, the right hon. Gentleman knows full well that we are not able to put those in place until we have fully left the European Union. We will be able to talk about these issues—to sign and negotiate those treaties—in advance of that.

The right hon. Gentleman talks about the backstop. The point of the backstop is that it is there if, as at 1 January 2021, the future customs arrangement between the United Kingdom and the European Union is not in place. As I said last week, it has always been the case that we believe that the best way to address the issue of the border in Northern Ireland is through that overall relationship between the UK and the EU. We want to ensure that that is in place as soon as possible after the end of December 2020, and we preferably do not want to see the backstop having to be used at all.

Sir Michael Fallon (Sevenoaks) (Con): Given that it is nearly four years since 10 British citizens were murdered when flight MH17 was destroyed over Ukraine by a Russian missile launcher and the west is still trying to refute Russian denials of responsibility, can the Prime Minister tell the House how the very welcome rapid response mechanism agreed in Quebec will help us to better challenge Russian misinformation with much faster truth?

The Prime Minister: My right hon. Friend raises a very important point. The point of the rapid response mechanism is that it will be able to do that in two ways. First, one of the key things is to have faster attribution when these events happen; of course, we have only relatively recently seen a final attribution in relation to the Russian role in MH17. It is about being able to work together to achieve faster attribution when incidents happen and then—this is the crucial point—to co-ordinate activity to counter exactly the propaganda that he mentions. Working collectively will have a much greater impact than individual states trying to work on their own.

Sir Vince Cable (Twickenham) (LD): What is the point of the G7? Since the most important member does not believe in a rules-based system and crucial countries such as China and India are not even members of it, why does the Prime Minister not recommend closing it down?

The Prime Minister: The right hon. Gentleman asks what the point of the G7 is. He should look at the communiqué to see the agreed actions that we will be putting in place, which will be of benefit across areas relating not just to trade and foreign policy but the empowerment of women and girls.

Dr Sarah Wollaston (Totnes) (Con): I congratulate the Prime Minister on her resolve at the G7 in standing up for women’s rights, the environment, free trade and the international rules-based order, but given events there, what appraisal has she made of President Trump’s likely approach to trade deals with the United Kingdom after Britain leaves the European Union?

The Prime Minister: The President of the United States has always made it clear that he is keen to be able to sit down and talk with the UK about a future trade deal. We are also clear that we want to ensure that we have a trade deal that works for the United Kingdom, but let us not forget that we already have a good trading and investment relationship with the US. Every working day, 1 million people in the United Kingdom wake up and go to work for an American company, and 1 million people in the United States wake up and go to work for a British company.

Mr Ben Bradshaw (Exeter) (Lab): How did the Prime Minister personally respond to Trump’s call for Britain to be let back into the G7? Given yesterday’s revelations, is it not now time for a full police inquiry into the relationship between the Kremlin and the leave campaign in the EU referendum?

The Prime Minister: The right hon. Gentleman asks about a police inquiry, which of course is a matter for the police, and the body responsible for looking at elections and the democratic process is the Electoral Commission. He asks about the comments made by President Trump on the G7 versus the G8. There was a good reason why the G8 became the G7—Russia’s illegal annexation of Crimea—and the response I have given both in private and in public is that any conversations about whether or not Russia could come back round the table cannot take place until Russia has changed its attitude.

John Redwood (Wokingham) (Con): I strongly support the Prime Minister’s wish to be a leader of free trade worldwide. Do we not need to get our vote and voice back at the WTO as soon as possible and leave the customs union in order to do that?

The Prime Minister: I assure my right hon. Friend that we are indeed working on establishing ourselves as an independent member of the WTO at the point at which it will be possible to become one, having left the European Union.
Ms Angela Eagle (Wallasey) (Lab): Does the Prime Minister agree that never since the war has the international rules-based system been more at risk following the outcome of the G7 summit and particularly President Trump’s behaviour, with his tweet deck on Air Force One after he left? How does she think we can shore up the international rules-based system? All of us who study history know what the consequences of its collapse may be.

The Prime Minister: The hon. Lady refers to the international rules-based order. That can be looked at in a variety of ways. If we take an issue such as the norms that we all accept or have been accepting on chemical weapons, there is absolutely no doubt about the strength of support there is for action to ensure that those international norms and that rules-based order are maintained. As we say in the communiqué, we recognise in areas like trade that the World Trade Organisation needs reform. Its dispute resolution mechanisms are very slow, and we need to work to ensure that it provides frameworks for not just the economies of the past but the economies of the future—in digitisation and services, for example.

Tom Tugendhat (Tonbridge and Malling) (Con): Does my right hon. Friend agree that the building of the international order, which has enriched us all in the freedoms that we now have, has been paid for not just with the industry of American and British diplomats, but with the lives of the soldiers given in wars and conflicts to protect the freedoms that we enjoy? Does she agree that protecting, defending and, indeed, expanding that order is not only in our interests, but in the interests of all free peoples, including the United States?

The Prime Minister: My hon. Friend makes a very important point, which is that we as politicians stand and talk about the values that we share, but it is our servicemen and women who actually put their lives on the line to defend those values. It is incumbent on us all to ensure that we are doing them the service of working together to maintain that rules-based international order.

Helen Goodman (Bishop Auckland) (Lab): The Prime Minister has said that the WTO needs reform, and she also said earlier that we were in the lead on climate change and the environment. Will she look at integrating these two institutional networks so that we do not have trade deals that cut across our environmental objectives?

The Prime Minister: I am not sure that integrating the two institutional structures that deal with those is the right way forward, but there are of course examples around the world where trade deals do indeed incorporate environmental standards.

Sir Hugo Swire (East Devon) (Con): An initiative at the G7 that we can all welcome is the extra £2 billion pledge to educate some of the poorest women and children in the world. Unfortunately, after such international conferences, quite often, the money does not follow the pledge. Will my right hon. Friend commit to doing everything in her power and commit the British Government to making sure that people pay up and that that fund is properly administered—probably through the Department for International Development, which has the best international network—in order to deliver this much-needed education in some of the poorest and hardest-to-reach countries in the world?

The Prime Minister: I absolutely agree that it is important that this is not just words or words on paper, but money that actually follows through. Of course, the United Kingdom has a very good record on that and we will be doing everything we can to ensure that this money does follow through. It is for a very important objective that is in the interests of us all.

Chris Bryant (Rhondda) (Lab): Does the Prime Minister worry that there is a growing trend towards protectionism in the world, as we saw this weekend? In 2010, there were just 300 non-tariff protectionist measures in G20 countries but, in 2015, there were 1,200. How are we really going to make sure that we, as a country that relies on free and fair trade, can prosper if that protectionism grows?

The Prime Minister: The hon. Gentleman is right that we need to be wary of any seeming approaches taken around the world that increase protectionism or that increase the likelihood of protectionism being adopted. When people talk about trade, there tends always to be a focus on tariffs, but of course free trade depends on a great deal more than tariffs. It depends on having similar systems that ensure that there is not unfair competition and that abilities to reduce tariffs are not simply replaced by the sort of barriers to trade that he talks about. As an independent member of the WTO, we will of course be able to play our part in trying to ensure that we row back any attempt at protectionism.

Sir Edward Leigh (Gainsborough) (Con): I am sorry to break the cosy consensus, but has not President Trump got a point to the extent that free trade, like all these theories, depends on some level of equivalence and fair dealing, yet China, with its unlimited population, is rapidly building massive trade surpluses with the rest of the world and draining other economies dry? Given that its secretive Government have proved utterly impervious to previous pressure, perhaps history will prove that there is some method in President Trump’s madness.

The Prime Minister: We have absolutely no doubt that there is a need to ensure that everybody is playing within the rules-based international order. Obviously, we have spoken in this House and elsewhere in particular about the overcapacity in steel and the role that China has played in that. That is why I was pleased, at the first G20 I went to, that the global forum on steel excess capacity was set up, with China as a member of that forum. As we committed to in the communiqué, we have called on the members of that forum to implement its recommendations fully and promptly, and we need to say that we must bring those countries that are emerging and perhaps not playing fully by the rules of the international rules-based order into that order. I am pleased to say that we also in the communiqué committed to continue to fight protectionism.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): Does the Prime Minister agree that all of us who believe in international peace, prosperity and security—and hope that they will continue—want the G7 and other global
international institutions to prosper? But are not her Government, just like the Trump Government, not trusted any longer in partnerships, in the European Union, in NATO or in the G7, because they are driven by an inability to play fair in partnerships?

The Prime Minister: Nothing is further from the truth. I suggest that the hon. Gentleman look at the international coalition that supported the United Kingdom in response to what Russia did on the streets of Salisbury in the nerve agent attack.

Sir Desmond Swayne (New Forest West) (Con): Might the prospects for consensus have been better had not leaders previously, and so publicly, announced their intention to undermine US policy on Iran?

The Prime Minister: The United States has chosen to reimpose sanctions on Iran and therefore to pull out of the joint comprehensive plan of action—the Iran nuclear deal. We have worked with France and Germany because we continue to believe that, as long as Iran meets its obligations under that deal, it is important to maintain that deal. But we accept—and have been working with those countries, the United States and others—that more needs to be done in relation to Iran’s ballistic missile programme and its destabilising activity in the region. We will continue to work with all partners who want, like us, to ensure that we can take some action to reduce that destabilising activity.

Mr Pat McFadden (Wolverhampton South East) (Lab): The international rules-based order of which the Prime Minister speaks is under attack from the rise of nationalism in various parts of the world. What does she think about its strength when the President of the United States can call for the readmission of Russia to the G7 just weeks after Russia has used a nerve agent to try to kill people on the streets of the United Kingdom? Even if we do not have the United States as a partner in this endeavour, will she commit the UK Government to working as closely as possible with other like-minded allies to uphold that order?

The Prime Minister: I responded earlier to the right hon. Member for Exeter (Mr Bradshaw) on the issue of whether Russia should be sitting around the G7 table and we should go back to the G8. On the point that the right hon. Member for Wolverhampton South East (Mr McFadden) makes about the United States and its approach to Russia and the nerve agent attack that took place on the streets of Salisbury, I remind him—as I mentioned earlier—that the United States, together with other international allies, expelled Russian diplomats following the attack. Those allies took action, as we did, to recognise what happened in Salisbury. They have also subsequently introduced tougher sanctions on Russia, which have been having an impact on certain individuals in Russia. We continue to work with our allies and others to ensure that we are dealing with the malign state activity that is being undertaken by Russia and others.

Vicky Ford (Chelmsford) (Con): I thank my right hon. Friend for defending free trade and the rule of law, and for championing the need to remove plastic from the world’s oceans. What plans does she have to ensure that commitments made by countries are more binding and that real and urgent action is achieved?

The Prime Minister: I thank my hon. Friend for her comments. First, we have to set an example ourselves, as we have done in the past and will continue to do through the work we are doing on issues such as plastic straws and cotton buds. It is also the case that we can work with other like-minded countries, not just in the G7 but across the Commonwealth, to ensure that they are working with us to take the action necessary. It is widely recognised—this point was emphasised by the Secretary General of the United Nations at the summit—that this is a key issue and a major environmental challenge across our world, and we all need to work together to address it.

Diana Johnson (Kingston upon Hull North) (Lab): Does the Prime Minister think that the special relationship is stronger or weaker with President Trump in the White House?

The Prime Minister: The special relationship between the United Kingdom and the United States continues to be strong. It will endure and continue to be strong. The nature of the relationship is such that when we disagree with the United States and the President we are able to tell him.

James Morris (Halesowen and Rowley Regis) (Con): In the light of the Prime Minister’s discussions at the G7, does she agree that now is not the time to weaken sanctions against Russia? In fact, there is a very strong argument that we should be co-operating with other international partners to strengthen sanctions against Russia to make sure that pressure continues to be applied on Putin to conform to the rules-based international order.

The Prime Minister: My hon. Friend makes a very important point. The communiqué committed to maintaining sanctions against Russia in relation to the fact that the Minsk agreements have not been fully implemented. That discussion will come up at the June European Council, too. As we made clear at the G7, we stand ready to take further restrictive measures if necessary.

Kirsty Blackman (Aberdeen North) (SNP): The Prime Minister includes a pledge to: “coordinate efforts to build lasting peace and support democratic transition in Myanmar”. As the first monsoon rains hit the camps in which the displaced Rohingya people are living, will the Prime Minister say what her Government are doing to ensure that that pledge is not just words?

The Prime Minister: The United Kingdom Government are taking a number of actions. We are providing real support for the refugees in the camps. We are providing real support to Bangladesh to be able to provide for those people. We continue to work and will continue to press the Myanmar Government to create a situation in which the refugees are able to return to their former homes in safety and security—that is the key issue. It is not just about people being able to return home; it is about being able to ensure that, when they do so, they have the confidence of knowing they will be safe and secure.

Crispin Blunt (Reigate) (Con): Trudeau or Trump?
Mr Speaker: Moreover, if one were being really pedantic one would have to say that the hon. Gentleman’s question did not contain a main verb.

Mary Creagh (Wakefield) (Lab): It’s certainly not “Love Island”, is it Mr Speaker?

The G7 summit was a fiasco rescued only by our EU allies and friends who filled the vacuum of leadership created by President Trump’s tweets. Does his abandonment of the international rules-based trading system not reveal how important it is for us to stay in a customs union and in the European single market, not least for the environmental and social protections that any bilateral trade deals with third countries receive?

The Prime Minister: If we were in a customs union, we would not be able to negotiate our own trade deals and we would not be able to have an independent trade policy. We want to have that independent trade policy, so that we can negotiate trade deals around the rest of the world, in our own interests. If we were in a customs union, we would be giving responsibility for our future trade deals to Brussels while not being a member of the European Union. That would mean it would have no incentive at all to negotiate trade deals in our interests. We need to have that independent trade policy and that means being outside a customs union.

Rachel Maclean (Redditch) (Con): I welcome my right hon. Friend’s commitment to investing in women and girls and to keeping them safe online. This issue concerns us all deeply because women suffer disproportionately when they go online. Will she update the House on this ambition?

The Prime Minister: I am very happy to do so. In the United Kingdom, we are committed to doing more on this issue. As I said in my statement, we have already had some success in working with tech companies on other issues and look to do so on this issue. There is a commitment from the wider G7 that this is something to be addressed. We take a simple position that, if an activity is wrong offline, it is wrong online. We need to ensure that that is being enforced.

Mike Gapes (Ilford South) (Lab/Co-op): Is the Prime Minister disappointed or relieved that President Trump did not have time for a bilateral meeting with her?

The Prime Minister: I had actually had quite a lengthy conversation with President Trump earlier in the week, and I had a number of conversations with him at the G7 on a range of issues.

Rebecca Pow (Taunton Deane) (Con): It seems to be clouded that a great deal of constructive work came out of the G7 meeting—not least the work on reducing plastics in the oceans worldwide and on women’s education. Is it not right that if we really are to tackle those issues, we need to do it jointly with the other members of the G7?

The Prime Minister: My hon. Friend is absolutely right. Of course, we in the UK look at those issues and take our own actions, but the impact is likely to be much greater when we are able to work jointly and co-operatively with others to ensure that, around the world, we are addressing these issues. That is exactly what the G7 communiqué committed us to do.

Liam Byrne (Birmingham, Hodge Hill) (Lab): The overwhelming majority of people in this House will welcome the overwhelming majority in the G7 agreeing not to let Russia back to the top table, but Russia is now seeking to exert its influence through the back door, and we learnt about the scale of that over the weekend. The Prime Minister says that it is an Electoral Commission inquiry, but the Electoral Commission does not have the legal power to summon the information that it needs. If she can set up a rapid action taskforce abroad, why can we not have a rapid action taskforce here at home? Why can we not put the Electoral Commission on it along with the Metropolitan police, because that is the only way we will find out whether Arron Banks’ millions were in fact Moscow gold?

The Prime Minister: As I said earlier in response to a question, of course if there is a suggestion of criminal activity, it will be a matter for the police as to any investigation that would be undertaken. The question whether or not electoral laws have been met is of course a matter for the Electoral Commission, but as the right hon. Gentleman might recall, from the police’s point of view, they have operational independence, and it is not for politicians to tell the police what to investigate.

Chris Philp (Croydon South) (Con): The Prime Minister referred in her statement to malign state influence. Presumably, that would include Russia shooting down flight MH17, invading a neighbouring country, sponsoring its client state to commit a chemical attack and interfering in foreign elections. Does the Prime Minister intend at the European Council at the end of June to press our European partners to strengthen and expand the range of economic sanctions that we have imposed against Russia?

The Prime Minister: I have already raised with European partners whether the European Council in June should look not just to the question of the sanctions in relation to the Crimea and Minsk agreements, but also to whether we should look further. Indeed, there are some issues that have arisen in relation to Crimea where I think that we should be looking at whether some further sanctions are required.

Tom Brake (Carshalton and Wallington) (LD): The Government’s own impact assessments confirm that even the biggest and boldest trade deal with the US would add between only 0.1% and 0.3% of gross value added to our economy. Have these figures been revisited since the G7 and the imposition of tariffs? How far now do the Government believe that a free trade deal with the US would go towards offsetting the between 2% and 8% loss of GVA associated with any of the likely relationships that we might have with the EU in future?

The Prime Minister: We are intending to negotiate. We have started talking about and negotiating a trade deal with the European Union that is good for us here in the UK—I think that it will also be good for the European Union—and ensures that we are able to
continue to trade well with the European Union. We do not talk about a trade deal with America or any other country around the world replacing an ability to trade on a good basis with the European Union. It is in addition to being able to trade on a good basis with the European Union.

**James Cleverly** (Braintree) (Con): Does my right hon. Friend agree that the education, empowerment and emancipation of women, particularly in developing countries, is a skeleton key that unlocks both social and economic development? Will she ensure that, despite whatever else is pressing at the time, we do not let this most important of agenda items slip down the priority list of the G7?

**The Prime Minister:** My hon. Friend is absolutely right. The question of ensuring that women have those opportunities and that gender equality is in place is right in itself, but it is also important for economies, because there would be a significant boost to economies if women were able to play the same role as men and up-skilled to take them.

**Dr Rupa Huq** (Ealing Central and Acton) (Lab): Does the Prime Minister share my concern that the good work she described coming out of the G7 seems deliberately to be having the shine taken off it by President Trump and his tweets—insisting that it should be a G8 and pushing on with his tariffs—and his general inability to play by the collective rules? Or are blond buffoons who seek to undermine her at every turn now becoming the norm?

**The Prime Minister:** G7 leaders signed up to a number of actions in the communique. We will ensure that we abide by them, and I expect others to do the same.

**Jeremy Lefroy** (Stafford) (Con): Given that the number of new jobs and livelihoods needed globally for young people by 2030 is estimated to be at least 1 billion, did the G7 have the opportunity to discuss how these jobs and livelihoods will be created? In particular, did it discuss the investment—not just free trade, which is vital—that makes free trade possible?

**The Prime Minister:** My hon. Friend makes an important point. As one of our early discussions, we were able to have a more general discussion about employment, the future of the world of work, the sort of developments that should take place and how we work to ensure, for example, that as artificial intelligence increasingly comes into the world of work, we can retrain and reskill people to take the jobs of the future. Many people fear that AI will just mean job losses. We need to ensure that alternative jobs are available and that people are trained up-skilled to take them.

**Geraint Davies** (Swansea West) (Lab/Co-op): Will the Prime Minister look carefully at my Plastics Bill, published today, which says that plastic producers, instead of council tax payers, should pay for recycling, that all plastics should be recyclable by 2025 and that we should introduce a levy on plastic bottles, alongside a refill system, so that, instead of paying £1 for two bottles and throwing them away, consumers pay 65p for one and refill it in a local shop?

**The Prime Minister:** The hon. Gentleman has set out several ideas there. I can assure him that we are considering ways to increase the ability to deal with this issue of plastics, including working with industry to ensure that the plastics it produces are all recyclable. That is what we want. Working with industry and creating opportunities for new developments are also an important part of this.

**Mr Simon Clarke** (Middlesbrough South and East Cleveland) (Con): President Trump’s decision to impose steel and aluminium tariffs is obviously deeply concerning for my constituents and British Steel at Skinningrove. We all deplore them, but as my right hon. Friend has said, we need to work constructively to get them overturned. With that in mind, can she give further details to the House about the precise nature of her discussions with the President on getting them lifted?

**The Prime Minister:** Obviously, the UK has been affected by tariffs imposed on the European Union, and we discussed how further dialogue could take place between the EU and the United States to avoid an escalating tit for tat on tariffs. It is through that dialogue that it will be possible to address the issue of tariffs on steel and aluminium.

**Clive Efford** (Eltham) (Lab): What does the Prime Minister think it says to our European neighbours when the Foreign Secretary advocates behaving like Donald Trump in the Brexit negotiations? Does it present a good face for Britain in our future dealings with the European Union?

**The Prime Minister:** What presents a good face for our future dealings with the EU is this Government setting out very clearly, as we have done at every stage of the negotiations, the sort of future relationship we want with the EU.

**Maggie Throup** (Erewash) (Con): I welcome the £187 million allocated to support girls’ education in developing countries, but does my right hon. Friend agree that we must do whatever we can to ensure that girls have the same opportunities as boys and that both girls and boys in developing countries get improved opportunities?

**The Prime Minister:** I agree with my hon. Friend. It is important to ensure that girls are not sidelined in terms of education and opportunities, which is why the funding for girls’ education—for 12 years of safe and quality education, as we have expressed it—is important. We do also need, however, to increase opportunities for all in developing countries, which is why things such as the jobs compact we have entered into with Ethiopia are important. Such action can help countries to develop their economies and make those jobs available for both men and women.
Mr. Chalk: These US tariffs must be met with a fitting response. What action can the British Government take to ensure that the EU response is calibrated and proportionate and does not lead to damaging escalation?

The Prime Minister: The communiqué was signed up to by all the G7 leaders. As I have said, the UK will abide by its commitments, and we expect others to do so as well.

Mr. Chalk: These US tariffs must be met with a fitting response. What action can the British Government take to ensure that the EU response is calibrated and proportionate and does not lead to damaging escalation?

The Prime Minister: My right hon. Friend the International Trade Secretary has been in discussion with the United States, but also with the Trade Commissioner, Cecilia Malmström, in the European Union, and I am of course talking to other European leaders. We want to ensure that the action taken is proportionate and within the WTO rules when those countermeasures are put in place.

Mr. Chalk: These US tariffs must be met with a fitting response. What action can the British Government take to ensure that the EU response is calibrated and proportionate and does not lead to damaging escalation?

The Prime Minister: My right hon. Friend has spoken of appropriate action and the action it is taking that is consistent with UNSCR 2231—including the call upon Iran to refrain from launches of ballistic missiles and all other activities inconsistent with UNSCR 2231—including all annexes.

The Prime Minister: The specific examples given by the hon. Gentleman, on the prevention of sexual violence in conflict, were referred to in the meeting between the G7 leaders and the Gender Equality Advisory Council, which was set up by Prime Minister Trudeau. I was also able, within that, to talk about the issues of human trafficking and modern slavery, particularly modern slavery for the purpose of sexual exploitation.

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have been able to achieve results through voluntary action by the tech companies and we will continue to pursue that, but we have been very clear that they should comply with any current and future legislation.

Nic Dakin (Scunthorpe) (Lab): Will the Prime Minister confirm her Government’s commitment to support UK steelmakers and steelworkers by persistently and robustly defending the industry against these 25% tariffs and ensuring there is no surge of steel imports into Europe?

The Prime Minister: Yes, and, as the hon. Gentleman will know, we have taken a number of measures already over the years to try to help the United Kingdom steel industry. It is important to us that the industry can develop, and we will continue to robustly defend it in a number of ways. We will be working with others in the EU to ensure we can deal with the US tariffs, and what we want of course is an exemption and removal of those tariffs in the future.

Stephen Kerr (Stirling) (Con): I welcome the Prime Minister’s call for new action to prevent gender-based violence, abuse and harassment online, and I heard the answer she gave some moments ago to the hon. Member for Hyndburn (Graham P. Jones), but may I press her to take every future opportunity to raise the important initiative that the UK has led globally to prevent, and prosecute those guilty of, sexual violence in conflict?

The Prime Minister: My hon. Friend is right that the UK has been a leader in that. My noble and right hon. Friend Lord Hague did a great deal as Foreign Secretary to put that programme in place and we can be justifiably proud of it, but we do need to keep the foot on the accelerator.

Stephen Kerr (Stirling) (Con): I welcome the Prime Minister’s call for new action to prevent gender-based violence, abuse and harassment online, and I heard the answer she gave some moments ago to the hon. Member for Hyndburn (Graham P. Jones), but may I press her to take every future opportunity to raise the important initiative that the UK has led globally to prevent, and prosecute those guilty of, sexual violence in conflict?

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Grenfell Tower

5.7 pm

The Secretary of State for Housing, Communities and Local Government (James Brokenshire): With permission, Mr Speaker, I would like to make a statement on the Government’s response to the Grenfell Tower fire, meeting our commitment to update the House following the Opposition day debate on 16 May. I am also writing to the Chair of the Select Committee on Housing, Communities and Local Government to provide a formal report on progress, a copy of which will be placed in the House Library.

As we mark a year since the tragedy, this will be an extremely painful time for the community. Many hon. Members provided powerful and poignant contributions in the e-petition and Opposition day debates last month, and I know that the whole House will join me in sending the bereaved and survivors our love and prayers.

On 14 June 2017 we saw the greatest loss of life in a residential fire since the second world war: 71 people lost their lives on the night of the fire, and a former tower resident who was rescued from the 19th floor passed away earlier this year. The start of the public inquiry was a timely reminder of that terrible human cost: a baby who never lived to learn how much he was loved; three generations of family wiped out; heroes who died saving others. Nobody could fail to be moved by the extraordinary tributes paid by family and friends to the loved ones they lost—by their courage and dignity in the face of unimaginable loss, and, yes, by their anger too. A catastrophe of this kind should never have happened in the UK in 2017, and when it did the initial response was not good enough. Nothing could undo the anguish and devastation this has caused, but as the Prime Minister said, we can and must do right by the memory of those who lost their lives and those left behind, by supporting those affected, securing justice and, above all, ensuring that nothing like this can ever happen again.

There has been an unprecedented effort across Government and our public services. Help is being provided on a range of issues from advice on benefits to emotional and mental health support. In total, we have spent more than £46 million of national Government funds and committed a further £34 million to help meet rehousing costs, deliver new mental health services and deliver improvements to the Lancaster West estate. The appointment of my right hon. Friend the Member for Ruislip, Northwood and Pinner (Mr Hurd) as Grenfell victims Minister has helped to ensure that the voices of those affected inform the response, and we set up the independent Grenfell recovery taskforce to help and challenge the Royal Borough of Kensington and Chelsea to provide better support for residents and rebuild trust. I want to thank everyone for their tireless support, particularly the emergency services and the public and voluntary sectors.

Clearly, one of the most pressing issues has been rehousing those who lost their homes. A large-scale programme of investment work has been under way to ensure that the homes are of good quality and personalised to meet the needs of families. The council has acquired more than 300 homes in and around the borough. A total of 203 households needed new homes, and 198 have
accepted permanent or temporary accommodation. That means that all but five households have accepted offers, and 134 have now moved in. Most of the work to ensure that all the homes that have been accepted are ready to move into is complete, and we expect many of the remaining properties to be ready in the coming weeks. While those households are preparing to move, the council has ensured that they have all had the option to move into more suitable accommodation.

I remain concerned, however, about the 43 households who are living in hotels. My ministerial team has met many of them, and I have personally written to all of them to find out what barriers exist in each individual case and how we can overcome them. This is not where any of us wanted to be a year on from the fire. There has been progress in recent weeks, but overall the pace has been too slow. My Department and the independent taskforce are continuing to provide scrutiny and challenge to the council, and we have provided additional resources directly to the council to help to speed up this work. We will not rest until everyone is settled into a new home.

Those affected badly need answers and to see justice done. The Grenfell Tower inquiry and Metropolitan police investigations will ensure that this happens, but we must also learn from what has happened. Over the past year, my Department has been working closely with fire and rescue services, local authorities and landlords to ensure that other buildings like Grenfell Tower are safe. Remediation work has started on two thirds of buildings in the social housing sector. Also, the Prime Minister announced last month that the Government will fully fund the removal and replacement of potentially dangerous aluminium composite material cladding on buildings over 18 metres high owned by social landlords, with costs estimated at £400 million, and we have made it clear that we expect building owners in the private sector not to pass costs on to leaseholders. To that end, I recently met leaseholders and put their concerns to industry representatives at a number of roundtables. Some in the sector, such as Barratt Developments, Legal & General and Taylor Wimpey, are doing the right thing and taking responsibility. I urge all others to follow. Those in the private sector must step up, and I am not ruling anything out if they do not do so.

In addition, I recently welcomed Dame Judith Hackitt’s final, comprehensive report following her independent review of building regulations and fire safety. In response, I committed to bringing forward legislation to reform the system of fire safety and give residents a stronger voice. Having listened carefully to concerns, the Government intend to ban the use of combustible materials on the external walls of high-rise residential buildings, subject to consultation. We will publish the consultation next week. It is essential that people living in buildings like Grenfell Tower not only are safe but feel that the state understands their lives and works for them. There is no question but that their faith in that has been shaken. That is why, as well as strengthening building and fire safety, we will be publishing a social housing Green Paper by the recess. I am confident that these measures will help us to rebuild public trust and deliver the meaningful, lasting change that is needed.

Our country has seen many difficult times, but that night at Grenfell Tower was one of our darkest hours. We will never forget those who died. We will not falter in our support for those who are still grieving, or flag in our determination to ensure that no community has to go through such agonies again. By doing this, we can be inspired by the incredible spirit of the people of north Kensington and the way they have come together. And when we say never again, we mean it. I commend this statement to the House.

5.14 pm

John Healey (Wentworth and Dearne) (Lab): I thank the Secretary of State for honouring his commitment to make this statement following our Opposition day debate and for giving me early sight of it this afternoon.

In this anniversary week, we remember the 72 people who lost their lives through the Grenfell Tower fire, and we will not forget our special duty as Members of Parliament to do right by them and by those who survive them.

Directly after this national disaster, the Prime Minister was right to make the first statement to the House herself, and she had the whole House with her when she pledged that Grenfell residents would have all the help and new homes they needed and that every necessary step would be taken to stop this ever happening again. Imagine the reaction if the Prime Minister had said instead, “One year on, more than half of Grenfell survivors will still be stuck in hotel rooms or temporary accommodation; more than 300 other tower blocks around the country will have the same Grenfell-style cladding, yet only 10 will have had it removed and replaced; there will be more tower blocks in private hands that have still not been tested; and, astonishingly, the Government will still not know how many high-rise tower blocks there are in the country.” In truth, Ministers have been off the pace and too slow to act at every stage for 12 months, and I welcome the Secretary of State’s admission of that this afternoon. The Government’s response has not been good enough, and it is still not good enough. The time for warm words is long past. More action, not more apologies, is needed now.

On rehousing survivors, Grenfell residents feel that they were failed before the fire, and many feel failed since. They were promised permanent new homes within a year, but only 82 of the 209 households are in permanent new homes. On the wider Grenfell estate, only 39 of 127 are in permanent new homes. The dossier released today by the North Kensington law centre catalogues the defects in the new homes that have been offered, which include damp, delayed repairs and tenancy terms different from those for the homes people lost in the tower. The Secretary of State told the House on 16 May that he was “establishing at pace what further action could be taken, by the Government or by the council, to speed up this process.”—[Official Report, 16 May 2018; Vol. 641, c. 314.]

However, he has told us nothing more today. What further action is he taking? What deadline has he set for all survivors to be permanently rehoused so that they can begin to rebuild their lives? Without a deadline, more words of regret will simply ring hollow to the still homeless residents of Grenfell Tower.

Turning to the safety of the other high-rise blocks around the country, after 12 months only 10 of more than 300 with the same Grenfell-type cladding have had it replaced, despite the Prime Minister’s promise to “do whatever it takes to...keep our people safe.”
We welcome the funding for social housing tower blocks, which was pledged under Labour pressure, and we welcome the Secretary of State’s intention to ban combustible material on the outside of high-rise blocks, which was also pledged under pressure.

May I keep up the pressure following the statement this afternoon and persuade the Secretary of State to go further and take the action that is now needed? Will he accept that sprinklers must be retrofitted in high-rise blocks, and will he set up an emergency fire safety fund to help council and housing association landlords with the costs? Will he publish in full the details that the Department holds on the location, ownership, testing status and evacuation policy of all high-rise blocks confirmed unsafe? Will he make it clear to private block owners that they, not residents, have the legal duty to pay for replacing dangerous cladding? Finally, will he strengthen councils’ enforcement powers and sanctions so that they can act when private landlords will not make their buildings safe? That is how we honour the promises made in this House. That is how we ensure that, as the Secretary of State said today, when we say never again, we mean it.

James Brokenshire: I thank the right hon. Gentleman for his response. I can say to him that, yes, we are very firmly focused on the outstanding issue of those needing to move into permanent accommodation. Since my last statement to the House, I have been pressing the Royal Borough of Kensington and Chelsea and its contractor. It is fair to say that, as I indicated in the initial response, the council had issues with its contracting that meant it needed to replace its contractor. The council has had a new contractor in place for a number of months that is making important progress on ensuring standards are met in respect of accommodation for those needing to be rehoused and that, actually, there is a firm element of personalisation in that accommodation to ensure that, when residents move in, they can see the care, thought and attention that has been put into the accommodation to make it a home and so that they can feel stability and safety in those new homes.

The right hon. Gentleman made a number of other points in respect of high-rise blocks and the various steps that have been taken over the course of this year. I point him to Dame Judith Hackitt’s comprehensive report on building safety, which gives a real sense of this Government’s commitment to making sustained change on building safety, and, equally, to my decision to go further in respect of banning combustible cladding and to the consultation I will launch next week.

The right hon. Gentleman talked about mandating sprinklers, and I underline to him that, since 2007, building regulations guidance has stated that all new high-rise residential buildings over 30 metres must have sprinklers. Sprinklers can be an effective safety measure, but they are one of many such measures that could be adopted. As Dame Judith Hackitt points out in her report, no single fire safety measure, including sprinklers, can be seen as a panacea.

The right hon. Gentleman asked me to provide details on the list of properties, which is something he has raised before, and there are particular safety concerns around that. In respect of his point on private owners, if he listened to what I have said he would know that I have stated on a number of occasions a very clear message on the responsibility of private owners, and I have underlined to a number of building owners and developers their responsibilities and the need to take action. We have also ensured that local authorities have the appropriate powers to investigate further, as I have previously indicated to the House.

The right hon. Gentleman’s broader point is a very relevant one, on remembering and honouring the victims of this appalling tragedy—one that, across this House, we all fully recognise—and the need for us to work together to ensure that appropriate changes are put in place. I certainly will not shrink from that, and I will certainly work with him on bringing forward changes. He knows that substantive changes have come from the Hackitt review, and I intend to publish further proposals on building regulations before the summer recess. I will certainly be updating the House on that again before the summer recess because, in honour of all those who lost their lives, we must get this right, and that is what the Government intend to do.

Dr Matthew Offord (Hendon) (Con): The Secretary of State says he has an expectation that building owners in the private sector will not pass costs on to leaseholders. I have met constituents at Premier House in Edgware who are rather concerned and would like to know what tangible and legal steps the Secretary of State will introduce to ensure that costs are not passed on to them, as leaseholders, either through a management charge or through a direct charge.

James Brokenshire: I certainly understand the concerns that my hon. Friend and other hon. Members have expressed, which is why I have met a number of building owners directly to set out our expectations. The industry is considering how to ensure that those obligations are not passed on to leaseholders, but there is a growing sense of doing the right thing. It is notable that more building owners have determined to meet the costs themselves but, as I have indicated to the House, if they do not, I have not ruled anything out.

Kirsty Blackman (Aberdeen North) (SNP): I thank the Minister for advance sight of his statement. One year on, our thoughts are with all the families and communities whose lives have been touched and altered unimaginably by this terrible tragedy. We welcome the publication of the Hackitt report, and I want to make it clear that the Scottish Government will swiftly consider any lessons and any actions that may be needed, as they did earlier this year when the Scottish housing Minister, Kevin Stewart, announced changes on requiring smoke alarms to be put in buildings.

One question I wish to ask today is whether the changes the Minister is announcing apply to buildings not in the super high-rise category? Do they apply just to super high-rise buildings or do they also apply to other high-rise buildings and other high-risk buildings that may be affected by combustible cladding and other poor fire safety procedures? We welcome the Prime Minister’s acceptance earlier today that her and her Government’s initial response to Grenfell was not good enough. I echo the views of the Opposition spokesperson in saying that I hope that those actions can be solid and can be taken much more quickly in future. I particularly wish to highlight issues relating to the mental health support that is available. I ask the Government to look closely at what is being done to ensure that those whose
lives have been affected by this terrible tragedy are not at the high risk of attempting suicide that they seem to be just now and at ensuring that suitable mental health support is put in place so that they have the best support in future.

James Brokenshire: I am grateful to the hon. Lady for her comments and for the indication about the Scottish Government working with us as we seek to take a number of these proposals forward. Judith Hackitt’s report was very much focused on high-rise residential blocks, but she did indicate a need for reflection on whether the requirements she set out should have broader application. Clearly, as we move forward with the implementation of the Hackitt review and the consultation on the banning of combustible cladding, we will be keeping this under examination.

As I have indicated to the House, we accept that the initial response was not good enough and I have set out why we have been taking a number of the steps we have. The hon. Lady highlights the mental health issue. NHS England has responded really proactively, in terms of contacting all the bereaved through the family liaison officers, providing a 24-hour emergency response service, making outreach contacts and providing a comprehensive trauma service. The point is that that is not just for now; it will be for a considerable time to come. We firmly recognise the support that will be needed, and discussions continue with the NHS and others to see that that remains in place.

Kevin Foster (Torbay) (Con): I welcome the Secretary of State’s statement. He will be aware that the Hackitt review described current building regulations as too complex, too confusing and “not fit for purpose” in the 21st century. So what discussions will he be having with representatives of the fire service, particularly the Chief Fire Officers Association, about how we can reform that to make sure that our building regulations are fit for purpose?

James Brokenshire: A considerable body of work needs to be advanced, and we are advancing it. My hon. Friend mentions the fire service, but we are also engaging with others on taking forward the implementation of the Hackitt review. It will require legislation and we want to get that right, and I will certainly be updating the House on the next steps in the coming weeks so that we can make that a reality. We need to put that system-wide change that Judith Hackitt underlined into effect, because of all the wide challenges that she rightly set out.

Kate Hoey (Vauxhall) (Lab): I very much welcome the regular updates by the Secretary of State. Will he add Bellway Homes to the list of developers who have been very helpful in paying back any of the extra costs to Palm House and Malt House residents in respect of the temporary fire prevention measures? However, there is some ambiguity about whether or not category 2 aluminium composite material cladding has to be removed from lower high-rise blocks. Clearly, there is concern about that, so I hope he will come forward with some more guidelines that will help the authorities.

James Brokenshire: I am grateful to the hon. Lady for highlighting the particular case in her constituency. The purpose of the consultation that I set out—the technical consultation that I intend to issue next week in relation to the banning of combustible cladding—is absolutely about seeking to give that clarity. It will obviously allow people to respond to that to ensure that this is in the right place, but issues over the nature of the materials to be used are absolutely at the heart of it.

Robert Courts (Witney) (Con): When I attended the very moving event held in Speaker’s House and spoke to survivors, one of the most striking and moving points made was residents telling me that repeated complaints and concerns had been raised but had not been listened to or acted on. Does my right hon. Friend agree that the point in the Hackitt report where she recommends a clear line of complaint, recognition and action must be acted upon if we are to rebuild trust—not just in relation to Grenfell, but everywhere with tenants in high-rise buildings?

James Brokenshire: Trust lies at the absolute heart of all this, and the issue of escalation is one that Judith Hackitt refers to starkly and clearly in her report; it is one of the key recommendations. Obviously, all of it sets out change that needs to happen, but it is important that the complaints—the voices—are listened to and that there is a means of escalation so that change can happen.

Wera Hobhouse (Bath) (LD): On this sad anniversary, my thoughts, too, are with all those affected by Grenfell Tower. The Secretary of State has already mentioned the Hackitt review and the implementation of the recommendations. I would like to insist on one particular recommendation—that is on the named qualified individual responsible for signing off on the safety of high-rise buildings. Is there a timeline for introducing a statutory instrument on that?

James Brokenshire: We will certainly be looking at steps that can be taken sooner rather than later in respect of the Hackitt review. As I said to the House when the review was published, while some of this will require primary legislation, not all of it will. Therefore, as we look at how to take this forward, I have charged my officials to set out what we may be able to do sooner rather than later, and where consultation may be required and where it may not, so that we can see progress and action. That is why I indicated then—and I will do so—that I would update the House before the summer recess.

Marsha De Cordova (Battersea) (Lab): Leaseholders in my constituency are continuing to be beset with fear at having costs ranging between £40,000 and £50,000 passed on to them to carry out remedial and fire safety work, so this is my question: it is okay for the Secretary of State to say that, morally, people should not be doing this, but does he not have to take action? It requires Government intervention to ensure that these costs are not passed on to leaseholders.

James Brokenshire: I hear that message loud and clear. It was a message that was conveyed to me very firmly at the leaseholder roundtable that I convened to hear directly from those who are really suffering at the moment—the concerns, the risks, the fear, the anxieties that they have. I think industry is starting to listen.
I indicated some of the progress that has been made, but that needs to be at pace. It is the landlords and the building owners themselves who should bear that responsibility and cost. As I have said, if that does not happen, I will keep all issues under review.

Jack Dromey (Birmingham, Erdington) (Lab): The Secretary of State was remarkably and refreshingly candid in saying that the Government had been too slow to act. Nine months ago, West Midlands fire service recommended a raft of measures to be taken to ensure that the 10,000 households in 213 tower blocks in Birmingham were safe, including retrofitting of sprinklers. Nine months later, not one penny has been forthcoming from Government to help Birmingham City Council—cash strapped—to carry out the necessary work to ensure those blocks are safe.

I know the Secretary of State is sympathetic to acting on this, but can I press him further: when will the Government act to make the necessary resources available, in partnership with local government?

Mr Speaker: That is an example of what I call shoehorning. The hon. Gentleman has shoehorned his very legitimate and intense preoccupation with matters Birmingham into an exchange about matters Grenfell, but we know he has done that in a positive spirit, and therefore the House is, I think, benignly disposed to him.

James Brokenshire: I know that is an issue of particular concern to the hon. Gentleman. He will know that the Government have committed £400 million in respect of the remediation of combustible cladding. He makes a slightly different point, but we obviously have given financial flexibilities to local authorities in respect of other measures, and we are looking to provide any further technical detail in relation to the remediation of cladding in the coming weeks, and working with local government to ensure that the £400 million is duly utilised.

Clive Efford (Eltham) (Lab): Will the Government set up a fund, as requested by my right hon. Friend the Member for Wentworth and Dearne (John Healey), so that, where fire safety officers recommend retrofitting sprinklers, they will be fitted and paid for by the Government?

James Brokenshire: I have already set out the position of the sprinkler issue in relation to new buildings. Obviously, it is for building owners to assess risk and consider what is appropriate for them. We have sought to support the sector in relation to remediation of combustible cladding with the £400 million and give financial flexibilities to local authorities, too. We will continue to keep the situation under review.

Grahame Morris (Easington) (Lab): In his statement, the Secretary of State spoke about further recommendations for change. Given that Government statistics for 2016-17 show that faulty electrical appliances were the second largest cause of accidental house fires in the UK, does he support my early-day motion 1119 on PAT testing of domestic electrical appliances?

James Brokenshire: I must confess to the hon. Gentleman that I am not conscious of his early-day motion, but I will certainly look at it in due course to see the specific point that he has made. If any issues come through, I certainly commit to write to him in respect of his early-day motion. Obviously, we continue to keep the regulations under review, and, of course, the inquiry itself will be looking at a number of these issues.

Norman Lamb (North Norfolk) (LD): I note what the Secretary of State says about sprinkler systems in new buildings, but how can we justify protecting tenants in new tower blocks in that way while leaving vulnerable and exposed tenants in existing tower blocks? How also can we justify the difference in treatment of hotel guests who are protected in existing buildings from sprinkler systems while leaving residents in tower blocks exposed?

James Brokenshire: We must look at the overall position of safety in buildings. I suppose that we could point to the fact that the Hackitt report drew that out. It is for building owners to seek professional advice and to decide whether to fit sprinklers on the basis of their assessment of the particular risk in a particular building. I must point out that my Department did write to local authorities and housing associations in 2013 to ask them to consider a coroner’s report recommendation that they should consider retrofitting sprinklers in existing high-rise residential buildings. It is for them to do so. As I have said, it is about looking at all of the measures that are in place in a building to protect and guard against fire safety issues. Again, we look forward to the recommendations that the inquiry itself will make.
**Point of Order**

5.38 pm

**Margaret Greenwood (Wirral West) (Lab):** On a point of order, Mr Speaker. Have you had any indication from the Secretary of State for Work and Pensions on whether she plans to make an oral statement on transitional protection in universal credit for people claiming severe disability premium?

On Thursday, the Government announced, via a written statement, that people receiving severe disability premium would not transfer to universal credit until its managed migration begins in 2019, at which point they will receive transitional protection. People who have already moved to universal credit will receive back payments.

This is an extremely important issue affecting more than half a million people. This is the fourth review that the Department has been forced to undertake in the past year, and an oral statement from the Secretary of State would give Members the opportunity to seek clarification over the steps the Department is intending to take in relation to the people affected.

**Mr Speaker:** I am grateful to the hon. Lady for her point of order and for her courtesy in giving me advance notice of her intention to raise it. The short answer is that I have received no indication from the Secretary of State for Work and Pensions that she intends to make an oral statement on this subject. I advise the hon. Lady and the House that the question of whether the Government choose to announce a change of policy by written statement or by oral statement is a matter for Ministers to decide rather than for the Chair. That said, if the hon. Lady is dissatisfied—she has voiced her dissatisfaction this afternoon that a judgment has been made to indicate the change only via a written statement—there are various avenues open to her to pursue the issue further. The fact of being unsuccessful one day does not automatically preclude the possibility of success at a later stage, but Members are usually advised to be sensitive to the priorities of the House on the days in question. For example, tomorrow—I mention this en passant, although not entirely at random—the House is focused on very important legislative matters, and the same is true of Wednesday. But in my experience in this House, a combination of persistence and patience can pay. Meanwhile, the hon. Lady has put her view firmly on the record, and it will have been heard on the Treasury Bench.

**Counter-Terrorism and Border Security Bill**

**Second Reading**

5.41 pm

**The Secretary of State for the Home Department (Sajid Javid):** I beg to move, That the Bill be now read a Second time.

This country faces significant threats to our national security. The first is the ongoing threat posed by terrorism to the safety and security of our communities and to the freedoms that we cherish as a nation. Another is the threat posed by hostile state activity, which we saw most recently in Salisbury.

As has been said many times before in this House, our police and intelligence agencies are unwavering in their commitment to protecting us and to keeping the country safe. They are ready to put their own lives on the line to help to save others. It is because of this commitment and professionalism that 25 Islamist terrorist attacks have been disrupted since 2013. Four extreme right-wing plots have also been foiled since the Westminster attack. But as we know all too well, there were five terrorist attacks last year. Thirty-six people were murdered, and many more are still grieving or coming to terms with life-changing injuries as a result of the terrorist atrocities in London and Manchester. We owe it to the victims and survivors to do our very best to prevent such attacks from happening again.

Of course, as Home Secretary, I do not want to offer false hope. No Home Secretary can guarantee that there will not be another terrorist attack on their watch. It is impossible for me to promise that there will not be more grieving parents, partners and children because of some senseless act of terrorist violence in the future. But what I can do as Home Secretary is to take a long, hard, forensic look at the powers available to the police, security services, prosecutors and judiciary, and to make sure that they have what they need, including powers to tackle the evolving threat to the UK from terrorism and from hostile state activity and powers to keep the public safe and protect our national security. This is what the wide-ranging Counter-Terrorism and Border Security Bill is all about; it is about keeping the people of this country safe.

**Simon Hoare (North Dorset) (Con):** My right hon. Friend used the term “wide-ranging.” Is not that the key thing? The legislation should be wide-ranging and flexible because those who wish this country and our fellow citizens ill are always trying to keep one step ahead of our rules and regulations. It is important to have the flexibility to ensure that all the tools that our agents need are available to them.

**Sajid Javid:** My hon. Friend is absolutely right. He and other hon. Members will see that much of this Bill is about updating existing powers to reflect the modern age—for example, some of the powers regarding the internet and online content.

This important piece of legislation will allow the police and MI5 to disrupt threats earlier and to ensure that our laws reflect modern use of the internet. It will change existing laws to manage terrorist offenders better.
and it will allow for more effective investigations. It will also give police more powers to investigate hostile state activity.

**Sir William Cash** (Stone) (Con): My right hon. Friend may be aware that, on the previous Bill dealing with the same subject matter, I tabled an amendment relating to terrorists coming from other countries. It said, in effect, that they should not be allowed back into this country and that measures should be taken. I know that the Security Minister is aware of this matter, and I do not want to go into it in detail, but I intend to table an amendment during the Committee stage. I would be grateful if it were given careful consideration because, relying on human rights legislation, far too many people are coming back into this country and then in a position to radicalise other people in the jails.

**Sajid Javid**: I know that my hon. Friend has taken a great interest in these matters for many years. I will listen carefully to anything he has to say on that issue and so will the Security Minister. I look forward to seeing any amendments that he tables.

In March, we saw the attempted assassination in Salisbury of Sergei Skripal using a deadly nerve agent. That also put his daughter Yulia, Detective Sergeant Nick Bailey, and many others in danger, including the brave men and women in the national health service and our frontline officers, who did all they could at the scene. They have continued to do so in the weeks and months since and have worked hard to save the Skripals. The attack was highly likely to be the work of the Russian state—a conclusion that is shared by many of our international partners. They have joined the UK in demonstrating to the Russian Government that the actions that they take are undermining the rule of law and international norms, and have serious consequences.

The events in Salisbury are part of a pattern of behaviour by the Russian Government, and the Russians are of course not alone in engaging in hostile activity that threatens our United Kingdom. So it is high time that we hardened our defences against hostile state activity.

**Simon Hoare**: My right hon. Friend mentioned my constituent Nick Bailey, the police officer at Salisbury. Wiltshire police have been incredibly helpful to Nick and his family, with whom I am liaising. Can my right hon. Friend confirm that he, his Department and Wiltshire police will continue to give Nick and his family all the support that they need, given the unique circumstances of the incident and the ramifications that he and his family have had from it?

**Sajid Javid**: I am happy to give my hon. Friend that assurance. I think that the whole House has commended Detective Sergeant Nick Bailey for what he did and how he put himself in the line of danger just doing his job—as I am sure he would put it. We will work with him, through Wiltshire police and others, to make sure that he gets all the support that he needs.

**Stephen Doughty** (Cardiff South and Penarth) (Lab/Co-op): Given what the Home Secretary is saying about Russia’s attempts to undermine society and engage in very hostile acts such as the one in Salisbury, will he say a little about the allegations that we have read about over the weekend in *The Observer*, *The Sunday Times* and elsewhere about other Russian attempts to potentially undermine parliamentary democracy and our democracy in this country? What steps is he taking to work with other Departments—notably the Treasury and the Department for Digital, Culture, Media and Sport—the Security Service and others to ensure that Russia is not attempting to influence and carry out potentially illegal activities in other areas?

**Sajid Javid**: The Cabinet Office is the Department responsible for overseeing elections and looking at allegations of that type. I know that it is taking this issue seriously. Alongside my Department, it is looking at intelligence and other information it is receiving. The two Departments are working closely together on this issue. I assure the hon. Gentleman that we are taking it very seriously indeed.

It is because of hostile state activity that the Bill provides new powers to stop, question, search and detain people at ports, airports and the Northern Ireland border to determine whether they are spies or engaged in other types of hostile state activity. If it is confirmed that someone is a spy, they could be refused entry, deported or have other action taken against them. Those powers will of course be subject to strict safeguards and robust oversight to assure their proper use at all times.

**John Howell** (Henley) (Con): Will my right hon. Friend confirm that this is also about reducing the risk to the UK’s interests overseas from terrorism, as is the Contest strategy?

**Sajid Javid**: Yes, I can confirm that. The powers in the Bill are designed to better protect us against all types of terrorist threats, including those from overseas, and against hostile state activity.

The other provisions in the Bill are about ensuring that we can respond more effectively to the changing terrorist threat. Part of that is arresting, prosecuting and convicting terrorists and imprisoning them for longer, as well as more rigorous management of those terrorists following their release from custody to prevent reoffending. The Bill will enable us to do all those things, in part by closing gaps in a number of existing terrorism offences.

**Nigel Dodds** (Belfast North) (DUP): Before the Home Secretary moves on, I just want to take him back to the issue of hostile states and checks on UK borders, including the border between Northern Ireland and the Irish Republic. Can he confirm what discussions he has had with the Police Service of Northern Ireland? We talk about no border and it being as frictionless as possible, but some checks do need to be carried out for national security and safety.

**Sajid Javid**: I have not had a discussion directly with the PSNI on this, but the Department has had discussions with our Northern Ireland counterparts, and I believe there have been discussions with the PSNI, to ensure that the measures we are taking, on the borders in particular, take into account the needs of Northern Ireland.

In particular, the Bill will help to stop terrorists exploiting the internet. We know that terrorists are using the internet and social media to spew out vile propaganda and to call on others to follow their murderous...
lead. We know that online platforms are being used to spread hate and to try to recruit more people to join the ranks, and we know that people are being rapidly radicalised via the web. That is why the Bill includes measures to combat what is happening online as well as offline. For instance, the Bill will make it a criminal offence to display a terrorist flag online, in the same way that it is already a criminal offence to march down the high street waving one to show support for a terrorist organisation.

Provisions in the Bill will also make it easier to tackle those who stream or repeatedly view extremist material online. At the moment, if someone downloads a bomb-making video from the internet, they are committing a criminal offence. However, if they watch the same video by streaming it, they could escape prosecution. That is not right. The Bill criminalises the repeated viewing or streaming of terrorist material online, which will close the loophole that allows some people to watch gruesome propaganda without any fear of prosecution. The Bill will mean that people who repeatedly view terrorist content online could face up to 15 years behind bars.

Yvette Cooper (Normanton, Pontefract and Castleford) (Lab): The Home Secretary will know that I share his strong belief in taking strong action against the terrorist threat, but I am concerned about the wording of clause 3 and some of the other clauses. Would the clause apply if, for example, I streamed or watched on YouTube a National Action video? The Select Committee has been taking action to try to get its video removed. If, in the process of pursuing and pressurising YouTube to get the National Action video taken down, members of the Home Affairs Committee watched the video more than three times, would that mean we were guilty of a criminal offence? I can tell him that it was certainly left up there for rather more than three times and we were forced to watch it.

Sajid Javid: That is an important question from the Chair of the Home Affairs Committee, and I want to be clear in my response. This would not apply in the circumstances that she describes. The objective is clearly to find and punish those with terrorist intent. There will be a reasonable excuse defence, as there is for other laws, for those who have a legitimate use; the right hon. Lady gave one example, but it could apply to academics, journalists or news organisations. That defence will exist.

Mr Kevan Jones (North Durham) (Lab): Like my right hon. Friend the Member for Normanton, Pontefract and Castleford (Yvette Cooper), I support many of these measures, but why is it three times? I accept the definition in terms of academic research, a journalist or the case of the Home Affairs Committee, but what happens, for example, if a teenager or someone with mental health problems watches a video more than three times? Do they automatically fall into this category, or does the reasonableness test apply?

Sajid Javid: The objective is to allow for the fact that it is quite possible for someone to accidentally come across such a video, be curious and watch it one time and perhaps a second time. I am not pretending that there is something magical about the number three. This is an attempt to capture repeated viewing, which may suggest that the intent is not innocent. Of course, should the Bill become an Act of Parliament and someone is prosecuted under this law, that decision would be made by the police, based on evidence and working with the Crown Prosecution Service. As with other criminal offences of this type, the CPS would use its judgment to decide whether it is in the public interest to prosecute.

Mr Kevan Jones: I am just intrigued why it is three times and whether this always has to be done in context. Clearly, if it is part of a pattern of behaviour and someone is watching not just one video three times but a series of videos, that is different but, if we are not careful, some opponents of the Bill will highlight the fact that anyone who watches such a video three times will necessarily get prosecuted, which I know is not the Home Secretary’s intention.

Sajid Javid: The right hon. Gentleman is right to make that point. Some people have already made similar comments, but clearly that is not the intention behind the Bill, and there are safeguards in place. I welcome his overall support for the Bill. This is why it is important to debate these issues and for Parliament to come to a collective decision. I am quite open to ideas from parliamentarians, and perhaps in Committee we can look more closely at these provisions to ensure that we have the balance right.

Sir Geoffrey Clifton-Brown (The Cotswolds) (Con): I can tell my right hon. Friend that he has my wholehearted support for the Bill. It is one thing to go after the people who are looking at terrorist material online, but it is another thing under clause 4 to go after people who are publishing it online. Surely, what we really need to do is get this material offline as quickly as possible. Will the Bill do anything to shut down the internet providers that allow such material to be put online?

Sajid Javid: I will give my hon. Friend two responses. First, he may know that the Secretary of State for Digital, Culture, Media and Sport is looking separately at the whole issue of internet safety and potential legislation, which I am sure he will discuss with the House at the right time. Secondly, I was in silicon valley just last week to meet all the big internet and communications companies. While recognising that they have done a lot to remove terrorist content, especially in the past year, there is still a lot more that can be done. Those efforts will continue beyond the Bill, and given the meetings that the US Homeland Security Secretary and I have had with those companies, I hope that we will be able to announce in due course further measures that they will take to do just that.

Yvette Cooper: The Home Secretary is being generous in giving way. The Bill will make it illegal to watch the streaming of such material, but will he confirm that it is definitely an offence for YouTube or any such platform to stream terrorist material?

Sajid Javid: It is not an offence for internet companies to stream such material under UK law—currently—and the Bill will not have an impact on that. That said, as I mentioned a moment ago in response to my hon. Friend
the Member for The Cotswolds (Sir Geoffrey Clifton-Brown), the Government, led by DCMS, are separately looking at what further internet safety measures may need to be taken.

Neil Coyle (Bermondsey and Old Southwark) (Lab): The Home Secretary is being very generous in giving way. He mentioned that social media providers have taken lots of action, but it is my understanding that the Metropolitan police have asked for 400 videos to be taken off YouTube that are essentially about incitement to violence. Is this Bill not an appropriate vehicle to provide a power for all police authorities to compel social media providers to take down videos that are about incitement to violence?

Sajid Javid: The hon. Gentleman mentioned YouTube, and I think—if I remember the number correctly—that it has removed something like 300,000 pieces of terrorist material. There is, however, a lot more that needs to be done not just by YouTube, but by many other internet companies. There is already an ability for the Government or, more likely, the police and other trusted organisations to flag up certain content on the internet, whether videos, stills or other types of content. So far this year, we are seeing a marked improvement in the speed with which that content is being taken down. In many cases, it is being taken down within the hour.

The hon. Gentleman may be interested to know that what has also grown considerably in relation to taking down content is the use of machine learning—trying to have the right algorithms to take down content much more quickly. For example, Facebook removed some 1.9 million pieces of content in the first quarter of this year, which is up some 70% on the same quarter of last year. In many cases, the content is being removed within minutes, and in some cases it can be stopped even before it is uploaded.

Stephen Doughty: Further to the point made by my hon. Friend the Member for Bermondsey and Old Southwark (Neil Coyle), I was very concerned to hear, when the companies appeared before the Home Affairs Committee, that they are not routinely searching even for the basic list of all proscribed organisations. I accept that some of this is stuff that is in quite a grey territory and may sometimes not be picked up by machine learning, but one would expect that they, at a very basic level, would be searching for the names of proscribed organisations.

I have found multiple examples of such content, including from Northern Irish terrorist organisations and others, on all these platforms that is not being removed by even the most basic checks. Why can we not compel the companies to do this?

Sajid Javid: The hon. Gentleman makes another good point in this debate. He is right to say that many leading internet organisations were not searching for proscribed organisations, or certainly not for all of them. So far this year, however, there has certainly been a significant improvement. We are monitoring this ourselves, and we are in constant dialogue with those companies. I am not going to pretend that every single one of them is doing that now, but there has been a huge improvement.

Sir Edward Davey (Kingston and Surbiton) (LD): I am slightly confused about the Government’s direction of travel. I think that there is quite widespread support across the House for action against the people publishing this material, to get it before it is put up. The Government are clearly looking at that, and if they come forward with such measures, they would be welcomed. However, the Home Secretary has said of the provisions in the Bill that the Government are not sure that the three clicks approach is right because it could catch innocent people. Is it not more advisable to focus on what would actually work, solve the problem at the root cause and get support from across the House?

Sajid Javid: To be absolutely clear, what the right hon. Gentleman referred to as the three clicks approach—let us call it the multiple viewing approach—is absolutely the right one, which is why it is in the Bill. From the discussions that I and the Minister for Security and Economic Crime have already had with colleagues on both sides of the House, I think that it commands a wide body of support in the House, and that will of course be tested during the passage of the Bill.

The wider issues of internet regulation—those applying not just to terrorist content, but to child sexual exploitation, serious violence, gang violence and such offences—and the collective harms of some internet content are together being looked at by the Digital, Culture, Media and Sport Secretary, and I believe that a consultation is going on at the moment. That is the right place to look at those issues, because the kind of regulation mentioned by the right hon. Gentleman is not covered by the Bill.

Sir Geoffrey Clifton-Brown: I am very sorry to labour this point with my right hon. Friend, but one of the most critical aspects of defeating terrorism is getting this content off the internet as quickly as possible. Surely, a voluntary approach is better than a legislative one, so can he give the House any information from his private meetings with the internet companies? After all, Google, Facebook and others have some of the cleverest IT writers on the planet, so they should surely be able to take down this stuff almost before anybody notices it.

Sajid Javid: As my hon. Friend knows, because I have already said it, I met the companies he has mentioned and others last week. This was the only topic that we discussed: the meetings were very focused on terrorist content on the internet. He is right to point out that, through voluntary action and persuasion, a lot has already been achieved, and all these companies understand that legislation has not been ruled out.

My hon. Friend asked me to say a bit more about some of the newer work that the companies are doing, but I hesitate to do so. That sort of thing should be announced at the right time, because it requires international co-ordination. There is a lot more work, and I will say that a lot more effort is going into the use of both machine learning and artificial intelligence to deal with this very important issue. I must now make progress, because a number of Members wish to speak in this debate.

The Bill will extend the ability of police and prosecutors to bring charges for terrorist offences that are committed overseas. It is not of course for the law enforcement agencies in this country to police the world, but if someone travels from the UK and commits a terrorist offence abroad, it is right that they are brought to justice if they return here. This is already the case for
many terrorist offences, but there are a few gaps in the coverage. That is why the Bill extends the jurisdiction of the UK courts to cover further terrorist offences that are committed abroad, including the dissemination of terrorist publications and the possession of explosives for the purposes of an act of terrorism.

**John Woodcock** (Barrow and Furness) (Ind): Why has the Home Secretary decided not to include the Australian scheme using the declared area offence, whereby Australia deems it illegal for people to travel to certain designated terror hotspots, such as Iraq and Syria? The Minister for Security and Economic Crime has been looking at this for some time, yet it is not part of the Bill.

**Sajid Javid**: The hon. Gentleman mentions the Australian extraterritorial offence that has been created, and I am looking at just that. There is a bit more work to do, and it is not as straightforward as it might sound. If it is to become a legislative proposal, I obviously want to make sure that we have considered it properly. If I am persuaded by it and we can complete the work in time, I intend to bring that forward as a Government amendment to the Bill.

**Kevin Foster** (Torbay) (Con): The Home Secretary has my support on the thrust of the Bill. However, on matters such as the one that has just been raised, will he assure me that he will ensure there are exemptions and defences for quite legitimate purposes? For example, we do not want to get into arguments about whether an aid worker has crossed a particular line when they are in an area for purposes that none of us would view as criminal.

**Sajid Javid**: Yes, I absolutely give my hon. Friend that assurance. As with many of these types of measures, there is always the need to consider what I would call a reasonable excuse defence.

Once we have brought terrorists to justice and secured their conviction by a jury, we want to make sure that the public are protected by locking up terrorist offenders for longer and allowing more robust supervision on their release. The punishment for terrorism must properly reflect the severity of the crime. That is why the Bill allows for the introduction of longer sentences, of up to 15 years, for a number of offences, including the collecting of terrorist information, the encouragement of terrorism and the dissemination of terrorist publications. Previously, the maximum sentence was up to 10 years for such offences.

As well as increasing the maximum length of sentences, we need to ensure that terrorist offenders are not released from custody until it is safe to do so. When they are released, they need to be subject to longer periods of supervision on licence. The Bill will achieve this by enabling the courts to impose a public protection sentence for a wider range of terrorism offences. Offenders will not be released automatically at the halfway point of their sentence, but will instead stay in prison until the Parole Board decides to release them.

We are also extending sentencing provisions to Northern Ireland that already operate in the rest of the United Kingdom. The sentences handed down by the courts in Northern Ireland have been of particular concern to some hon. Members, and the Bill will help to address that.

The Bill will make it easier to monitor terrorist offenders once they have been released by requiring them to notify the police of their bank or passport details and any vehicles that they may possess or have access to.

**Mr Kevan Jones**: I support the measures that the Home Secretary is outlining. In the briefing documents he sent before the debate, he referred to this measure as being similar to the monitoring of sex offenders in the community. In those cases, there is clear joint working between the probation service and police at local level. Is he envisaging a similar system for monitoring those who have been convicted of terrorism offences?

**Sajid Javid**: Yes, I am.

The Bill will update the law relating to terrorism reinsurance. The attack last year on Borough market highlighted a gap in the current arrangements that the Bill now addresses. In particular, I thank the hon. Member for Bermondsey and Old Southwark (Neil Coyle) for the important work that he has done on this issue on behalf of his constituents.

Next Tuesday will mark the anniversary of the attack outside the Finsbury Park Islamic centre last year. Our thoughts are with the family and friends of Mr Makram Ali, who died on that day a year ago, just as they are with the victims and survivors of other attacks last year in Westminster, the Manchester Arena, London Bridge and Parsons Green. We cannot turn back the clock to undo what was done in those five attacks, but we can and must learn the lessons and do everything in our power to prevent such suffering from being inflicted ever again. The Bill plays an important part in ensuring we do just that and I commend it to the House.

6.13 pm

**Ms Diane Abbott** (Hackney North and Stoke Newington) (Lab): In 2017, as the House has heard, the UK was subject to five terrorist attacks, which killed 36 people, injured many more and terrified millions. Furthermore, this year there was the shocking assassination attempt on Sergei and Yulia Skripal. So it is reasonable that the Government should review, and if necessary update, counter-terrorism legislation and arrangements for border security.

First, I want to pay tribute to the survivors and the bereaved of the terrorist atrocities in London and Manchester last year. The young girls at the Manchester Arena who came to see their favourite singer saw sights that children of that age should never have to see. I also want to pay tribute to all the brave women and men of the emergency services, who often run into danger and step forward in dreadful times. We should not forget the NHS workers—together with support from Porton Down—who were confronted with circumstances that they could never have dreamed of, but who saved the lives of Sergei and Yulia Skripal.

I turn to the Bill before us. Let me begin by saying that I agreed with the Home Secretary when he said recently that there is no binary choice between security and liberty. What makes us free is often what makes us safe. It is certainly what makes ours a country and a way of life worth serving and defending. I am not saying that just as a member of Her Majesty’s Opposition—I fought infringements of our civil liberties, together with some of his Cabinet colleagues, when a Labour Government...
tried to introduce them, notably ID cards and 90 days’ detention without trial. I defend civil liberties without fear or favour.

The question that arises is whether the Bill is necessary, appropriate and proportionate. Although we support the Bill overall, a careful examination will show that it does not necessarily meet all those criteria. That is why we will seek to amend clauses of the Bill in Committee.

The Home Secretary will be aware that the Home Affairs Committee said in 2001:

“This country has more anti-terrorist legislation on its statute books than almost any other developed democracy.”

In 2008, Lord Lloyd of Berwick told the other place:

“No other country in the world…has had anything like the same plethora of”

anti-terrorism

“legislation that we have had.”—[Official Report, House of Lords, 8 July 2008; Vol. 703, c. 700.]

More recently, Max Hill QC, the independent reviewer of terrorism legislation, said last year that Britain “has the laws we need. We should review them and ensure they ensure remain fit for purpose, but we should have faith in our legal structures, rather than trying to create some kind of new situation where the ordinary rules are thrown out.”

To the extent that the Bill does not throw out the ordinary rules, it has our broad support.

Finally in relation to expert opinion, I turn to the review by Dave Anderson, QC, of the terrorist incidents last year in Manchester and London. He made a series of recommendations, ranging from multi-agency working to greater intelligence sharing and more consistent handling of intelligence, but there was not a single recommendation of new laws or powers.

Nevertheless, we have the Bill before us, and the Opposition broadly support it. I will now set out our reservations. First, it will update offences in a way that will potentially criminalise information seeking, playing of videos and expressions of opinion. In relation to the playing of videos, the Home Secretary will have heard the opinion of my right hon. Friend the Member for North Durham (Mr Jones) about three clicks being a significant number. We will seek to clarify the point in Committee.

On the question of expressing opinion, the Home Office says in its note on the Bill that it is “not making it unlawful to hold a private view in support of a terrorist organisation”.

The Home Office also says:

“Operational experience has shown that there is a gap around individuals who make statements expressing their own support for terrorist organisations...but who stop short of expressly inviting others to do so.”

The Home Secretary will expect that we will press that point in Committee, because we would say that gap between having an opinion and inciting others to unlawful acts is not an anomaly but an important principle in protecting freedom of speech. We are in danger in the Bill of confusing bad thoughts with bad deeds. We hope to clarify this issue as the Bill makes progress.

Another concern about the Bill is the extent to which it allows the retention of biometric data on anyone arrested, including DNA and fingerprints, even if they are mistakenly or even unlawfully arrested. There are already abuses of the national police database, which the Government have failed to correct. The state has no business keeping records on people who are not criminals. It is an essential part of our liberty that we can go about our day-to-day lives unhindered by state agencies. That is not the case if the state can retain data on all of us. It is an even greater breach of our civil liberties if the retention is done without our knowledge.

A further concern about the Bill is what it has to say about the Prevent strategy. It proposes extending the Prevent strategy by allowing local authorities, as well as the police, to refer people to the Prevent programme. Let me be clear that there will always be a need for a programme that does what Prevent purports to do. I have met Commissioner Neil Basu and other Metropolitan police leads on Prevent, and I visited Prevent-funded programmes in Birmingham and elsewhere. I have no doubt that there is some good work being done in the name of Prevent, but Prevent as a whole is a tainted brand, particularly among sections of the Muslim community. From a recent study by the Behavioural Insights Team, commissioned by the Home Office itself, we also know that more than 95% of deradicalisation programmes are ineffective. I suggest that those two facts—that Prevent is a tainted brand and that so many of the deradicalisation programmes are ineffective—are not unrelated.

Labour is committed to a thorough review of the Prevent programme, which we believe is currently not fit for purpose. In the interests of transparency and accurate evidence-based policy making, I call on the Home Secretary today to publish the research by the Behavioural Insights Team, which has been so widely reported and seems to run counter to the claims made for the success of these programmes.

Mr John Hayes (South Holland and The Deepings) (Con): I did not intend to intervene—I will speak at length later—but is the right hon. Lady aware that about 75% of people referred to Prevent are, having been through the programme, of no further interest to the police or security services? That sounds like success to me.

Mr Deputy Speaker (Sir Lindsay Hoyle): Just to advise Members who may want to speak at length later, they will have up to 15 minutes and no more.

Ms Abbott: I have visited Prevent programmes and I am aware that good work is being done, but the figure that 95% of deradicalisation programmes are not effective should not be put to one side. We have to address it and we have to address whether there is any connection at all with the fact that Prevent is a tainted brand among the members of some communities.

Vernon Coaker (Gedling) (Lab): My right hon. Friend is making a fair point. I think we need some sort of Prevent strategy, so I accept the need to review it. Does the fact that over 6,000 individuals were referred through the Prevent strategy, over half of whom were under 20, show how careful we need to be in pursuing this policy, even if it is the right policy for the Government to have?

Ms Abbott: I accept the need for a programme that does what Prevent purports to do, but there is a danger. If we do not review the activities of Prevent, it may prove counterproductive in the very communities we want to work with. As for the question of local authorities
becoming referral agents, at least the police have had some training in this matter, whatever we think of the programme, but local authorities have no expertise in counter-terrorism. The danger is that pointless referrals and what seems, I am afraid, to be useless deradicalisation counselling will snowball.

Simon Hoare: I am listening carefully to the right hon. Lady. Just to clarify, is she saying that she would review the Prevent strategy, or, given the data or allegations she has repeated—from, I think she said, a lawyer—that she would press the pause button on Prevent, stop it and invent something else? If it is the latter, what is the something else? I think that goes straight to the point made by the hon. Member for Gedling (Vernon Coaker).

Ms Abbott: I said quite clearly that we would seek to review it. We could not at this point press the pause button, but the data we have about the effectiveness of deradicalisation programmes and what we know about how Prevent is regarded in some parts of the community means that we would want to review it.

One of the most worrying aspects of the Bill is the creation of powers of detention, interrogation, search or seizure without any suspicion whatever of crime, but simply while people are crossing borders. That is to treat anyone, British citizen or not, as a potential terrorist simply in the act of crossing the border. Such powers should be granted only with due care. All inhibitions on the rights of the citizen by the state must be based on evidence or reasonable grounds for suspicion. They must be subject to challenge—if interruption. I hope the House will allow me to conclude my remarks. If suspicion-free detention, interrogation and search is allowed, then it cannot be challenged. If there is no basis for challenge, there is likely to be no basis for detention. How does that accord with the Government’s claim to be building a new, global Britain?

Sir Geoffrey Clifton-Brown: The director general of MI5, Andrew Parker, said in a speech in October last year that the ongoing terrorist threat was operating at a scale and pace we have not seen before. Does the right hon. Lady’s party support the Bill in principle or not?

Ms Abbott: I think I have said three times that we broadly support the Bill in principle, but we are Her Majesty’s Opposition and we are entitled to set out our reservations on Second Reading.

There is much in the Bill about increasing sentences for terrorism-related activity. I say seriously to the Home Secretary that he also needs to look at what more could be done to guard against radicalisation in prison. A certain amount has been done in trying to separate imams and so on from other prisoners, but the fact is that too many young men not of a Muslim background get caught up in extremist ideology while behind bars. We cannot continue to have a situation where people emerge from prison more radicalised than when they went in.

Alex Chalk (Cheltenham) (Con): On that point, does the right hon. Lady agree that we should be concerned by reports that emerged from Belgium that the suspect in the appalling and brutal murder of two police officers was a small-time crook who, it appears, had been radicalised in custody? Does she therefore agree that she should support all the Government’s excellent efforts to try to deal with this important issue?

Ms Abbott: I think Members are seeking to have me say what they want me to say and are not listening to my speech. What I am saying is that it is all well and good to put more people in prison for longer, but there is more we could do about radicalisation in prison. It is shocking to me to see young men, who had no connection with Islam before going into prison, coming out of prison as Islamic radicals. We can do something about that, because while they are in prison they are in the hands of the state. I think there is more that can be done.

In Dave Anderson’s review, he called for greater collaboration between the counter-terrorism police, MI5 and neighbourhood police, but—I make no apologies for repeating this—the Government have cut police numbers by 21,000. In practice, their cuts have undermined Dave Anderson’s recommendations. We cannot have greater collaboration between counter-terrorism and neighbourhood police if the numbers of neighbourhood police are being cut. The Metropolitan Police Commissioner Cressida Dick has said that coping with counter-terrorism is putting an unsustainable strain on the police. The head of the National Police Chiefs’ Council, Sara Thornton, said:

“Fewer officers and Police Community Support Officers will cut off the intelligence that is so crucial to preventing attacks.”

New laws, whatever their merits, are no substitute for effective policing, and not just counter-terrorism policing. Ministers will tell us how much more they are spending on counter-terrorism, but almost as important as actual counter-terrorism officers is ordinary neighbourhood policing, which is our frontline against terrorism. Laws, whatever their merit, become a dead letter without enough police officers.

Stephen Doughty: I completely agree with my right hon. Friend on that point. We are very lucky in Wales that, thanks to the investment from the Welsh Labour Government, we still have substantial numbers of police community support officers on our streets. They play a crucial role. All the police officers I talk to, including senior police officers, tell me about the real pressures and strains they face, and the impact of the lack of community policing on the frontline in the fight against terrorism.

Ms Abbott: I agree with my hon. Friend. That is what we are hearing from police leaders all the time. They want to do their very best against terrorism, but the cuts to the number of officers puts them under a great deal of strain.

Broadly, and in principle, we support the Bill. As the Home Secretary would expect, we will give it particularly careful scrutiny in Committee. We hope it will come out of Committee a better Bill. The safety of the nation depends on it.

Several hon. Members rose—
Mr Deputy Speaker (Sir Lindsay Hoyle): Before I bring in the next speaker, just a reminder—I have told speakers that this is a very important debate, so please let us not abuse other people’s time. I call John Hayes; you have up to 15 minutes.

6.29 pm

Mr John Hayes (South Holland and The Deepings) (Con): Terrorism blights lives and in some cases, of course, it takes lives. We have already heard from Members on both sides of the House about the appalling events of the last year, and they will be in all our minds as we debate these measures. The right hon. Member for Hackney North and Stoke Newington (Ms Abbott) was right to focus on the events in Manchester, not because any terrorist event is greater or less than any other, but because of the chilling image of those children, which she rightly focused on in her remarks.

Terrorism is not just about the people whose lives are lost. All of us are affected by it, including those who are related to the people who died, those in their communities, those in the wider network of people who came into contact with these events—the emergency services have been mentioned—and others. All of us are a little diminished, are we not, when these things happen in our country? Fear is spread. Doubt is fuelled. That is part of the terrorists’ aim, of course: to intimidate us, change us and frighten us. It is right to say that in our response, we must be mindful of the need to retain the freedoms that terrorists seek to extinguish. Nevertheless, it is equally true that we must ensure that we are well equipped to deal with terrorists as they change their modus operandi.

There are two things that have altered most about terrorism in recent times. The first is the terrorists’ ability to communicate their message using modern methods—to proselytise, to convert, to recruit. They do that by messages and images, and modern media is such that it can be done much more easily than in years gone by. They are ruthless and merciless in the way they go about that business. When I was the Home Office Minister responsible for security, I was well aware of the good work that is done in Government to deal with that, but it is a constant challenge. Every day images are put up, and every day they are countered or we aim to get them taken off the internet. They only have to be there for a very short time to have their effect, or their possible effect, as they are digested by vulnerable people.

The right hon. Member for Hackney North and Stoke Newington also talked about the young people who are referred to the Prevent strategy, and I want to return to that in a moment. Young people, in particular, are at the greatest risk. They are impressionable and vulnerable. They may simply be lonely and in need, and the terrorist acts much like any other kind of social or cultural predator. They recruit by corrupting. They seek to own that young person, and once they own them, they direct them with wicked purpose. There are parallels with other kinds of corruption. People are recruited in the same way by sexual predators: they are groomed. We know this from evidence that has been brought before the House, from the work of Select Committees and from the Home Office.

The Secretary of State is absolutely right to say that it is both our responsibility and our duty to ensure that all those missions to keep young people and others safe are best equipped to do so not only by their training and skills, but also by the legislation that underpins their work. Successive Governments have recognised that over time. Indeed, it is a sad strength of this country that we have more experience of dealing with terrorism than most others, because of the events in Northern Ireland. That knowledge and understanding of terrorism has allowed us to develop skills that other countries do not always have—as I said, it is a matter of sadness that we should have had to do so. None the less, those skills have to be updated and refined over time, for the other principal change in terrorism is that terrorists have become more flexible.

Countering terrorism is largely about trying to anticipate events. The Contest strategy is about prevention—it is about anticipation as well as response—and anticipating events is, in essence, rooted in the idea that patterns of behaviour and likely courses of action can be measured. When terrorists become less predictable, they are harder to counter, and they have become less predictable over time as the more recent terror events show. For example, let us take the use of vehicles as a weapon—it sounds pretty straightforward, does it not? It is horrible, of course, in its effect. Vehicles are routine things that can be obtained without too much fuss or bother, and once someone knows that they merely need a vehicle rather than a bomb, they know that they can go about their deadly business, as we saw in Westminster and elsewhere. That additional flexibility—that new approach by the terrorists—requires laws that are fit for purpose and which allow us to respond to the changing character of terrorism. That is what has been brought before the House today.

I was pleased as a Minister to bring the Investigatory Powers Bill—now the Investigatory Powers Act 2016—to the House. It was very challenging because, of course, questions were asked about it. The right hon. Lady spoke about scrutiny and the role of the Opposition. She knows that the Opposition and I worked very closely together on that Bill. The Government made key changes as the Bill made its way through the House, because we recognised that part of the Opposition’s role is to challenge and oblige Government to question themselves about the appropriateness of various aspects of what they are proposing. We ended up with a good piece of legislation, which has further enabled the security services and police to go about their business in respect not just of terrorism, but of serious organised crime. This Bill is very much in the same spirit. It updates the legislative basis on which our security services and the police can do their work by recognising the changes in the pattern of behaviour of those we face.

The Secretary of State went through the details of the legislation—I have it all here, but to do so again would both be tedious and, I suspect, would test your patience, Mr Deputy Speaker, given the overture at the beginning of the debate that many wanted to speak and none should do so for too long.

Sir Geoffrey Clifton-Brown: My right hon. Friend has talked about terrorist methods continually changing. Did not the situation in Northern Ireland tell us that we needed constantly to update our legislation, often by emergency legislation, to keep one step ahead of the terrorists?
Mr Hayes: Yes, that did happen, but I would go as far as to say—reflecting what Andrew Parker said—that the scale of what we now face and its character is unprecedented in modern times. I am cautious about being too definitive about these things, because it is never wise to be so, but I defer to the man who runs MI5, who is closest to these matters. I think that we are facing new challenges of the kind that we have never really seen before. To go back to my earlier remarks, when we think of Irish terrorism, there was, for the most part, a degree of predictability, and the key difference with terrorism then was that most of the terrorists did not want to risk their own lives. They wanted to save the lives of the operatives. That is a fundamental difference from the sort of terrorism that we have seen in more recent years. There are also differences in the command structure of terrorism in Ireland compared with what we now face. Many of the terrorists that we seek to counter, and which this legislation addresses, are people who have been radicalised in their own home. They are inspired by rather than part of an organised network. Given what I said about the availability of weapons, in that a vehicle can be a weapon, one can imagine the damage that an inspired terrorist, possibly unknown to the security services and police until they commit the act, might do.

Simon Hoare: Does my right hon. Friend also agree that one acute difference between Irish terrorism and the threat today is that in the Irish situation an agreed code word was usually used to alert the security services that something was about to kick off? We do not have that today, which is why this very flexible, proactive approach to regulations required to try to keep us safe—we will not manage it in all circumstances, but we will do our damnedest—is pivotal.

Mr Hayes: The Irish people endured the horror of terrorism for a very long time, and we should not be complacent about any part of our kingdom, but there are differences with what we face now, which I have already mentioned and others will no doubt elaborate upon during the debate.

Before coming to the end of this brief speech—certainly brief by my standards—I want to deal with Prevent. I worked with Prevent and I will mention two things that the right hon. Member for Hackney North and Stoke Newington said with which I fully agree and then I will deal with the things I did not agree with, as that is the polite thing to do. She is absolutely right about radicalisation in prisons. No Government have got this right. In a previous incarnation, I was the Minister responsible for prison education, would you believe? It is not an easy job, I can tell you, and I was never really satisfied that we got it right. I do not think the previous Government got it right either. This is not about party politics. We probably need to look at it afresh. I agree with her about that.

It is, in my view, a good thing, by and large, to keep people who do dreadful things in prison for longer, but the right hon. Lady is quite right that if we are keeping them in prison ever longer, and given the serious chance that they will be radicalised accordingly, there is a risk that they might do a degree in being radicalised, rather than just an A-level. I am inclined to her view that we need to look at that with even greater determination than in the past. With this Home Secretary and this Security Minister, we have the best chance ever of bringing fresh eyes to this. Proust, I think, said that there was no such thing as “new landscapes”, only “new eyes” to see them. Perhaps, in a Proustian fashion, they will look at the right hon. Lady’s suggestion.

The second thing I agree with the right hon. Lady about is the need to ensure that there is proper oversight of Prevent and that we measure its effect properly. When I was Minister, I revitalised the oversight board in the Home Office—I am sure that my successor has added even greater value than I could have hoped to add in that respect—and I was also determined to measure the effect of Prevent more routinely and more transparently.

None the less, I disagree with her about Prevent as a concept. The work of our Prevent co-ordinators, at the very frontline of radicalisation, is heroic. I met them time and again all over country. I went around the country to see the Channel operation and the Channel panels. The people who contribute to Channel and who co-ordinate and run Prevent are doing immensely good work in very difficult circumstances. I do not say that they always get it right—perhaps they do not—but I do say that without them the circumstances we face would be altogether worse. They are making a huge difference in towns and cities across the country day by day. I celebrate their achievements while never being uncritical, as in my comments on measurement and oversight.

Sir Edward Davey: Did the right hon. Gentleman meet any representatives from Muslim communities who perceived it to be a flawed scheme?

Mr Hayes: There is an argument about how Prevent is perceived and how communities in which the co-ordinators operate understand it, and, consequently, there is an argument for promoting it more effectively—I will meet the right hon. Gentleman halfway—but do not forget that some of the critics of Prevent are people who do not want it to work. Some of its critics are critics because they do not believe in what we are trying to achieve. We have to start from the perspective that not everyone is a balanced and reasoned critic, and perceptions are, to some extent, coloured by that. I introduced the Prevent duty when I was the Minister so that local authorities, health authorities, schools, colleges and others could add value to Prevent by identifying those most at risk. Let us be clear: these are people at risk of being groomed to do wicked things.

With that and to give others a chance to speak far more persuasively than I could ever hope to do, I end by saying that our will to combat terrorism must never falter, our resolve never waver. This House must have the same kind of certain confidence as our security services and police have in their certain determination—their mission—to defeat terrorism.

6.46 pm

Gavin Newlands (Paisley and Renfrewshire North) (SNP): It is a pleasure to follow the right hon. Member for South Holland and The Deepings (Mr Hayes), who made some thoughtful remarks but inexplicably failed to stick to his 15-minute time limit, which was a surprise to us all in the Chamber.
In the past couple of years, we have seen deadly terrorist attacks across the world, including in Mosul, Baghdad, Istanbul, Kabul, New York, Paris, Nice, Munich and Stockholm, and last year the UK was subjected to five terrorist attacks in London and Manchester that killed 36 innocent victims and injured many more. We may have honourable disagreements about many aspects of the Bill, but we owe it to the people affected by last year’s attacks to debate these differences as a matter of principle and efficacy rather than on the basis of petty party political interests.

Glasgow airport, in my constituency, was the target of an attempted terror attack in 2007. It came as a huge shock to all Scots given that we had had very little experience of dealing with terrorist acts on Scottish soil. It proved that nowhere and no one is immune to the threat of terrorism. With that in mind, I can assure the Minister and the House that the Scottish National party will engage in this debate in the appropriate manner, treating it with the respect and seriousness that it deserves.

In an increasingly changing and digital world, the SNP supports giving law enforcement agencies the necessary powers to fight serious crime and terrorism. The world is becoming ever more complex, and terrorists are utilising sophisticated means to plan their attacks. As such, it is of extreme importance that we keep our response and policies under continual review to ensure that we take the most effective action possible to prevent terrorist acts from occurring, while—crucially—respecting and upholding our civil liberties.

During the debates that will follow, the SNP will judge any proposed new powers or the extension of existing ones according to whether they are appropriate, effective, proportionate and respectful of civil liberties. This is the approach we adopted during the passage of the Investigatory Powers Act, during which my hon. and learned Friend the Member for Edinburgh South West (Joanna Cherry) and I argued that aspects of the Bill were unlawful. We might have been defeated in this place, but we were not alone, and successful court challenges by the hon. Member for West Bromwich East (Tom Watson) West Bromwich and the right hon. Member for Haltemprice and Howden (Mr Davis), and subsequently by Liberty, proved that we had been right to oppose the measures. I hope that the Government have learned from that experience.

The Minister for Security and Economic Crime (Mr Ben Wallace): I just want to clarify the point about the Investigatory Powers Act. It is important for the House to know that in the legal challenge the Government were successful in defending the Act on three out of four measures. It was on the measure about judicial oversight that we conceded, as hon. Members will see in the Bill.

Gavin Newlands: I appreciate the Minister’s intervention. As I outlined, my hon. and learned Friend made these points during the Committee stage of the 2016 Act, but I accept his point.

I hope that the Government have learned the lesson and will work with all parties to ensure that the policy can survive any potential legal challenge and carry the support of the House. There will be no petty opposition for opposition’s sake, but we will cast a critical eye on the Bill and table amendments to improve it in Committee and on Report.

After the London Bridge attack last year, the Prime Minister announced a review of the Contest strategy to establish whether the police and the security forces had the powers that they needed to stop the radicalised who seek to cause us harm. Following David Anderson’s very thorough review, the Bill is intended to bolster the Government’s counter-terrorism approach and strengthen a variety of measures to respond to the terrorist threat, allowing earlier intervention to disrupt terrorism.

I agree with the Government’s desire to intervene at an early stage. Such intervention is not only effective in stopping terrorist attacks, but helpful in preventing young people from becoming radicalised. Terrorist organisations are using 21st-century measures, including social media, to promote their propaganda as a means of radicalising youngsters. It is only right for the Government to review their approach to ensure that it is fit for the 21st century and future-proofed as far as is practically possible, but the internet providers and the social media companies also have a responsibility to ensure that terrorists cannot exploit their systems to promote their poisonous agenda. They must be involved in this process as well. On too many occasions they have been unwilling to take down terrorist content, and slow in doing so.

We are broadly in favour of the aims of the Bill but, while some of its provisions will attract our support, others will need to be tested in Committee. We must ensure that lowering thresholds and the burden of proof does not become so extreme that it impinges severely on civil liberties.

The Bill seeks to amend the offence of collecting terrorist information to cover the repeated viewing or streaming of material online. I accept the point that streaming material has become far more common since the previous legislation was drafted, and that we need a more robust approach. The implementation of this policy will give our police and security services the power to compel internet companies to assist them in carrying out covert surveillance on suspects streaming terror-related content. However, the way in which the process is set in motion is key.

In Committee, the Government will need to set out their case very well, explaining their proposed definition of “streaming” and the new three strikes, three clicks approach to people who stream extremist terror content.

The Government intend the offence to cover the repeated viewing or streaming of material online. I accept the point that streaming material has become far more common since the previous legislation was drafted, and that we need a more robust approach. The implementation of this policy will give our police and security services the power to compel internet companies to assist them in carrying out covert surveillance on suspects streaming terror-related content. However, the way in which the process is set in motion is key.

In Committee, the Government will need to set out their case very well, explaining their proposed definition of “streaming” and the new three strikes, three clicks approach to people who stream extremist terror content. The right hon. Member for North Durham (Mr Jones) pressed the Home Secretary on that point earlier. In all likelihood, the approach will prove to be over-simplistic. While we are sympathetic to the Government’s goal of early prevention of potential terrorist acts, we must ensure that their proposals are evidence-based, and that civil liberties are not eroded or forgotten in the process. Like others who have spoken, I feel that the Government should be doing much more to stop the material at source by placing a statutory duty on the online platforms on which the material is viewed.

The Government intend the offence to cover circumstances in which the defendant is in control of a computer but, in addition, and with a much higher degree of difficulty, circumstances in which an individual is viewing the material, for example, over the controller’s shoulder. That may prove to be impossible, and is an obvious example of parts of the Bill which, if unamended, may be open to challenge in court. Campaigners have
already voiced concerns about the proposed policy, suggesting that it unfairly targets innocent people. Rachel Robinson, of Liberty, has said:

“Blurring the boundary between thought and action by locking people up simply for exploring ideas undermines the foundations of our criminal justice system. Terrorists’ primary goal is to undermine our freedom. With proposals like this, the government risks giving them exactly what they want.”

Along with the Scottish Government, we will work with the Minister to ensure that that is not the case and that we get this important part of the Bill right. Campaigners have also pointed out that an attempt to introduce a similar terror streaming law in France last year was struck down twice. I should be keen to learn from the Minister what discussions he has had with his counterparts in France about their experience of trying to introduce a similar law, and whether the Government have been able to learn any lessons from them.

The Home Secretary also seeks to amend the offence of encouragement of terrorism so that action can be taken to target those who seek to radicalise children or young people who may not understand what they are being encouraged to do. It is vital that we reassess our approach to preventing vulnerable youngsters from becoming radicalised, and send a clear message to the recruiters that they will face the full force of the law if they attempt to prey on our young people. In my role on the Justice Committee, I had a long conversation with a now convicted terrorist. That has had a profound effect on me and, in particular, on my thoughts about how we can try to protect young people from terrorist influence online.

I understand the arguments that certain provisions in this Bill unfairly target innocent individuals’ personal liberty. The fact that the Home Office guidance that accompanies the Bill also accepts that point is telling. However, it attempts to alleviate the concern by stating that it would not be “unlawful to hold a private view in support of a terrorist organisation”; it would be unlawful only to “recklessly express those views, with the risk others could be influenced”.

I think that the Government will need to clarify what is meant by recklessly expressing a particular view. That seems to me to be an unnecessarily wide and vague phrase that will undoubtedly be tested later in the Bill’s progress.

There will always be a fine balance between giving the police, the security services and the judiciary enough powers to keep us safe, and liberty itself. Ultimately, it could be argued that, if we restrict our personal freedoms excessively, the terrorists have already won. The Government must tread very carefully, and engage fully not only with the Opposition, the Scottish Government and other Administrations, but with those who instinctively oppose any perceived restrictions of liberty.

The Scottish Government support giving law enforcement agencies and the intelligence services the necessary and proportionate powers that are required to fight terrorism. In the past, the UK Government have chosen not to engage with the Scottish Government before publishing Bills and guidelines on the issue. I am pleased that that has not happened in this instance. I also welcome last week’s telephone conversation with the Minister, but will he assure me that he will engage with the Scottish Government at every opportunity and throughout this process?

Keeping people safe is the primary function of any Government. By means of the Prevent strategy, the Scottish Government will continue to work with key partners to tackle all forms of violent extremism—for instance, through Police Scotland’s model of community engagement. Working with the Scottish Government will enable people to learn lessons about the range of positive work that Police Scotland and other agencies do in our local communities to keep people safe. The distinct Scottish approach to the delivery of Prevent benefits from the positive relationships that are fostered in our communities. That includes our work to develop a range of credible grassroots community-led projects that help to challenge extremist narratives, giving support and guidance to people who are potentially vulnerable to radicalisation.

John Woodcock: The hon. Gentleman’s description of the “distinct Scottish approach” to Prevent sounded exactly like what Prevent is supposed to do. Will he elaborate on the difference between the Scottish version of Prevent—which he apparently fully supports, unlike Labour Front Benchers—and the English version?

Gavin Newlands: I think that it is a resource issue. In Scotland, resources are invested to ensure that the necessary community engagement takes place and there is support for the policy in the community. At present, that is not always the case south of the border.

John Woodcock: Is the hon. Gentleman saying that there is no difference whatsoever between English Prevent and Scottish Prevent, that it is purely a resource issue, and that he does not share the view of Labour Front Benchers that the policy should be changed?

Gavin Newlands: I have to say that I am no expert on the delivery of the Prevent strategy in England. I represent a Scottish constituency, and I speak on behalf of the Scottish National party.

John Woodcock: The hon. Gentleman said that the Scottish approach was distinct.

Gavin Newlands: It is distinct in terms of its success, in comparison with the success of the strategy as it currently operates south of the border.

John Woodcock: In what way?

Gavin Newlands: I have already outlined in what way.

The Scottish Government recognise that resilient communities which look out for one another are key in keeping people safe and, furthermore, that communities are our greatest ally in that respect. We must ensure that the Bill takes account of the separate and distinct Scottish legal system, respecting the current devolution settlement, and is proportionate and appropriate for Scotland.

I nearly got through an entire speech without mentioning it, but a potential threat to our national security is, of course Brexit, and the loss of access to multilateral
information-sharing tools that we face. Organised crime and terrorism do not respect borders, and it is essential for police Scotland to have continued access to the information systems, support and technical expertise that are available through Europol—not only to keep Scotland safe, but to contribute to making Europe safer through cross-border collaboration. I fear that, after the UK leaves the EU, there will be a major risk that any new arrangements will be sub-optimal in comparison with those that exist at present. I hope that the Minister will give a guarantee that any new legislation will be prepared in time to fill any gaps that arise from our leaving the EU, and that he will explain, as far as possible, how he intends to ensure that that happens. We need to ensure that our law enforcement agencies can retain the level of access to Europol that they currently enjoy.

Let me end by saying that 2017 was a difficult year for the UK, and we owe it to everyone affected by last year’s attacks to work together on this important Bill to give our law enforcement agencies necessary and proportionate powers to eliminate and to prevent terrorism without eroding vital civil liberties.

6.59 pm

Alex Chalk (Cheltenham) (Con): It is a pleasure to follow the hon. Member for Paisley and Renfrewshire North (Gavin Newlands).

We meet in the shadow of a grim situation for our country. As the shadow Home Secretary said, in 2017, 36 people were killed and, since 2013 alone, some 25 terrorist plots have been foiled. I want to take this opportunity to pay tribute to my constituents at GCHQ, who through their hard work, dedication and professionalism have, I feel sure, contributed to the foiling of a good number of those plots both in the UK and overseas.

I entirely support the Bill, but it is absolutely right, and the duty of the Opposition and all Back Benchers, to scrutinise these matters with great care. I sense the same spirit in this House this evening as there was when it dealt with the Investigatory Powers Act 2016: a spirit of constructive discussion, and at times criticism, to ensure that the provisions we arrive at strike the balance between liberty and security. I remember being in the House listening to discussions on the Investigatory Powers Bill. I am entirely sure that the end statute was properly prepared in time to fill any gaps that arise from our departure from the EU, and that he will explain, as far as possible, how he intends to ensure that that happens. We need to ensure that our law enforcement agencies can retain the level of access to Europol that they currently enjoy.

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Alex Chalk: That is pretty much everywhere, and I will give the right hon. Gentleman an example. How about an allegation of assault? Let us suppose the facts were as follows. The defendant deliberately went to his friend’s house from school and said, “I really think you should be joining this proscribed organisation”—be it Isis or al-Muhajiroun—and his intention was to get that individual to sign up, but in the room at the same time was his friend’s younger brother, aged 16, and he was not in any way intending for that younger brother to be radicalised but was being reckless as to whether that would happen. In those circumstances, if the message was in fact heard by the younger brother rather than the contemporary friend, should the law have this loophole so that the defendant could not be liable in those circumstances? That would be nonsense. It would create an unconscionable loophole because the mischief at which the legislation is aimed is the propagating of propaganda material that encourages others to support proscribed organisations.

Sir Edward Davey: I agree that we should be debating these issues, but can the hon. Gentleman point to anywhere in case law where there is real development of the concept of recklessness compared with the concept of intentionality?

Alex Chalk: That is pretty much everywhere, and I will give the right hon. Gentleman an example. How about an allegation of assault? Let us suppose the defendant goes out in the high street in Kingston in the right hon. Gentleman’s constituency with a baseball bat and starts swinging it around outside the pub, being reckless about whether someone might be struck by it. If he does recklessly strike someone’s jaw and they have a fractured jaw, the defendant can, and will in those circumstances, be convicted of a section 20 offence of grievous bodily harm. So the law does recognise that where there is recklessness, that can be sufficient mens rea for a large number—probably even the majority—of offences against the person. So to that extent all this measure would do is make sure the new legislation chimes with existing legislation.

The second provision I want to deal with has already properly been discussed: to “update the offence of obtaining information likely to be useful to a terrorist to cover terrorist material that is just viewed or streamed over the internet, rather than downloaded to form a permanent record”.

First, we need to consider what material is being addressed here. It could be digital copies of “Inspire”, an online
publication produced by al-Qaeda in the Arabian Peninsula. One edition of that publication contains material giving instructions about how to make a bomb using household materials; these are step-by-step instructions on how to manufacture an improvised explosive device with materials that we could buy in a hardware store and a regular supermarket. That is extremely serious and dangerous material if it gets into the wrong hands. Another example of the kind of material published in these online magazines is instructions on how to wreak the maximum amount of destruction using a vehicle in a crowded area.

To be caught by current provisions, such material has to be downloaded, but that creates a loophole because an individual who chooses to view this pernicious content by simply restreaming it could be outside the net. That would be ridiculous, particularly as every time one of these items is streamed, it will create digital artefacts on the computer. So an individual who downloads it—who has the full digital content on their computer—is liable to be prosecuted, but an individual who keeps streaming it, notwithstanding that that leads to some digital artefacts on their computer, would be outside the net. That would be truly perverse.

So while it is right to say that we should be mindful of the risk of people coming within the ambit of this provision, so long as the defence of reasonable excuse exists, we can be confident that that proper balance is struck.

Mr Kevan Jones: I am not a liberal on any of these issues, but there is a problem with this. One difficulty the security services face is dealing with the amount of material that is out there and targeting the right people. If someone who has viewed such material three times can be pulled in by this provision, does that not throw the net rather wide, making it more difficult for law enforcement to target the right people?

Alex Chalk: The right hon. Gentleman is right to raise that question, but I do not think that is the case. We accept that an individual deciding to view this pernicious content online and then download it on to their computer, would be outside the net. That would be truly perverse.

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from the flowers laid by well-wishers on London Bridge last year. That symbol of ongoing life and vibrancy in the area is genuinely well conceived and was delivered very sensitively last week. I would also like to extend my thanks to the Prime Minister, the Leader of the Opposition, the Home Secretary, the shadow Home Secretary and the Mayor of London, Sadiq Khan, for attending last week’s service. I should also like to thank Southwark Council’s leader, Peter John, and its chief executive, Eleanor Kelly, for providing space on the bridge for a minute’s silence and for more flower-laying last week.

In the service, the sentiments of the local community came through very strongly. There was a sense that we must continue living our lives, but also that something had dramatically changed. A community project was run after the attacks for people to provide their own testimony and personal experience, and the words of one local resident were echoed by the Home Secretary last week. That person said that “the terror attack changed this neighbourhood forever but not in the way the terrorists had planned. This community is going to carry on being diverse, inclusive and welcoming.”

That sentiment was echoed when the cathedral was reopened by the Archbishop of Canterbury after the attack. He stated that the terrorists had unwittingly created a “renewed sense of community”, and that is very much something that I have felt and seen in the past 12 months.

My community stood tall last year. The immediate response was incredible. The police and the NHS deserve our thanks and praise for their incredible efforts, as do the extraordinary individual people who stepped in to prevent others from being attacked and to confront the terrorists directly, putting their own safety at risk. Taxi drivers provided free transport out of the area to those who were worried. Local people opened their doors to complete strangers to allow them to charge their phones or to give them refuge, and hotels and local businesses offered overnight shelter. In the ensuing days, the public response was also incredible. Public donations of almost £50,000 were received, and support of a similar level was received from businesses. Practical support was given by Barclays on Borough High Street, which provided office space to people who could not access their own premises. Even the British Transport police opened up their counselling service to those who had been traumatised by what they had seen.

In the weeks after the reopening, the solidarity within the local community was also incredible. Businesses such as News UK and Merger Market provided vouchers to staff worth tens of thousands of pounds to use at Borough market. Southwark Council provided rates relief of more than £100,000, and Sadiq Khan freed up £300,000 from City Hall to help the local community. The funding was administered by United Saint Saviour’s, a brilliant local charity with a long history of helping the local community.

Those responses were much-needed. The attackers could not have known what a huge outpouring of solidarity they would trigger. The attack might have lasted for no longer than eight minutes, thanks to the extraordinary efforts and heroism of the police, but the cordon and the investigation closed the area for 10 days, affecting 150 local businesses. Many people will be familiar with Borough market, but it is not just a place that provides bits and bobs and personal groceries.

The market has been there for 1,000 years, and tonnes of produce come into the market daily. It supplies restaurants and hotels across the capital and further afield, and tonnes of produce were lost during the closure after the attack. Contracts to supply other restaurants were lost. Bookings at restaurants were lost. The London Bridge Experience was also directly affected and lost bookings.

The total bill for those 150 businesses is estimated to be more than £2 million. I shall give the House a couple of examples. Cannon and Cannon, a wholesaler of British charcuterie, lost about £11,000, but it was able to access compensation. Turnips, the fruit and veg distributor, lost nearly £100,000 as a direct result of the attack and the closure. Its insurer is Aviva, and Aviva has not paid out despite repeated requests to reconsider. It stands out in this regard, sadly, because it is the only insurer that has not responded with flexibility. It is the only insurer to have badly let down the local community, and I hope that its shareholders are aware of its terrible response. It is an insult to British values in the exceptional circumstances following the attack. I should add that many other insurers, including AXA, RSA and Zurich, worked flexibly to provide help, and I am grateful for their advice and support.

I should also like to thank the British Insurance Brokers Association and the Association of British Insurers for all their help over the past 12 months. I did not know about this particular area before. They all accepted that clause 19 is needed, and they have worked together to get the Government to this point. Many of those organisations had already raised concerns, and I believe that the Treasury was warned about two and a half years ago. Sadly, the warnings were not heeded. The insurance challenge was recognised, as is clear from the briefings for this debate and the Home Office Bill briefing. The Government-backed pool reinsurance system set up in the 1990s covers only physical damage and not business interruption resulting from investigations into terror attacks.

I welcome the fact that the clause will close that loophole, but the Government are planning only for future incidents, despite the fact that the explanatory notes to the Bill make specific reference to Borough market and the difference that this measure could have made to those affected in my constituency last year. The Home Office has stated that this clause will not be used to help those who were so badly affected last June, and that is a bitter pill to swallow. I find it difficult to understand.

I hope that the Government will reconsider the matter and allow retrospective coverage for all of 2017, and I do so for four key reasons. First, my constituency needs it. London Bridge and Borough market need it. If it had not been for public donations, firms and jobs would have been at risk, and Treasury revenue was at risk. The owners of one microbusiness even had their home mortgage covered as a result of public donations. That situation did not need to happen.

Secondly, despite the public response, the Government were not there last year, and I find that shocking. The Prime Minister visited and showed the Australian Prime Minister around. Business Minister came and met employers directly, and the Economic Secretary to the Treasury’s predecessor held a meeting here for some of the affected businesses. However, not a penny of central
Government support came to help my local community, and clause 19 represents a chance to rectify that absence from 2017.

Thirdly, the fact that the Government were warned of the need to close the loophole, but failed to do so, is justification enough for retrofitting this scheme now with this clause. My local firms and employers were unacceptably exposed to that loophole.

Finally, Pool Re, the Government scheme, has the funds. There would be no cost to the Treasury, to insurers or to taxpayers for retrofitting coverage for last year. It is simply wilful negligence to deny help to an area so badly hit when the finances are there to allow support.

I close with a plea to the Government to extend cover to last year. I welcome clause 19, but I want coverage to be retrofitted. I hope that Ministers will be sympathetic to that aim as the Bill goes through Committee, in which I hope to participate.

7.21 pm

John Howell (Henley) (Con): Since this is the first time that I have seen you since the weekend, Madam Deputy Speaker, may I start by congratulating you on your damehood? I am sure that it is much deserved.

The Bill follows up on the 2017 Queen’s Speech and reviews our approach to counter-terrorism. Its specific purpose is to amend certain terrorism offences to update them for the digital age, to reflect contemporary patterns of radicalisation and to close gaps. I will comment first on the potential for the prison system to add to radicalisation. I am a member of the Justice Committee, and we have never made a prison visit without raising the question of the radicalisation of prisoners, which is everywhere in the prison system. The prison officers we speak to are trying their best to deal with it, but there is great difference in the levels of success. The right hon. Member for Hackney North and Stoke Newington (Ms Abbott) was right to refer to the issue, which we ought to be taking seriously and considering carefully to ensure that everything is taken into account.

Sir Geoffrey Clifton-Brown: My hon. Friend knows that the Bill contains provisions to lengthen both the period that prisoners serve and the length of sentence for certain terrorist offences. Is he worried that that will mean that terrorists will serve more time in prison and have more time to radicalise other prisoners?

John Howell: I thank my hon. Friend. In fact, in my notes for this debate I have written next to my previous point “so they will be more radicalised by spending more time in prison.” By extending prison sentences, we run the risk that prisoners will be more susceptible to the influences that will affect the radicalisation process. We need to address that matter in total from the beginning.

I was pleased to be able to intervene on the Home Secretary to get him to confirm that the Bill aims to reduce the risk from terrorism to the UK’s interests overseas. That fits in with the Contest strategy, to which the explanatory notes refer. I point to the UK’s enormous commercial interests in many parts of the world, including the middle east and Israel, that are under threat from terrorist activity. Those in Israel are under particular threat of terrorism from Lebanon. As we have discussed on many occasions, Hezbollah has long insisted that its military and non-military activities are indivisible. At the al-Quds Day rally this weekend, on an air trailer of flags of the alleged non-military wing of Hezbollah, but Hezbollah in its entirety meets the test for full proscription, which would then make it subject to the Bill. I wonder whether the Minister for Security and Economic Crime will refer to that in his summing up and mention whether an amendment to the Bill might proscribe the whole of Hezbollah. That would certainly send a strong message that, together with America, Canada and the Netherlands, we abhor terrorism in any form. It would also recognise that terrorist attacks on British interests overseas must be taken into account.

The Bill rightly points to the need to amend terrorist offences to update them for the digital age, as I said, and the need to then keep them updated. The reaction to terrorism is international, and if the Council of Europe convention on the prevention of terrorism is to mean anything, we need international co-operation and international action. If an individual commits a terrorist offence in a foreign country, they should be liable under UK law as if they had committed the offence in the UK. The explanatory notes refer to the Council of Europe’s convention, and I hope that this is last debate on this subject that does not mention the Council and its role in producing that convention. We are part of the Council of Europe—we were a founding member—and it plays an enormous role in sorting out such issues across Europe. Terrorism is a major subject for the Council of Europe, and during debates there I have been critical of the approach taken, for example, by the Belgian Government, who did not take the necessary steps to prevent terrorist activity on their own soil.

We can learn a lot from the international comparisons that we see at the Council of Europe, and I will provide a couple of examples. First, we could limit the financies of Daesh, which uses the internet to gain money and move it about. The Council has considered ways of preventing such movement. Secondly, the Council has considered cyber-attacks, which can have an enormous impact on the UK. A cyber-attack on an air traffic control system would cause absolute havoc, for example. I am also sure that everyone will agree with the Council of Europe’s “Terrorism: #NoHateNoFear” campaign.

In many ways, the opening paragraphs of the convention on the prevention of terrorism anticipate what is in the Bill, stating that no terrorist act can be justified by “political, philosophical, ideological, racial, ethnic, religious” considerations—there are no excuses for terrorism. Whatever the purpose behind an act of terrorism, we must ensure that we respect the rule of law, democracy and human rights, because otherwise we become just like the terrorists. That is a difficult thing for western democracies to do, but unless we do it, we are no better than the terrorists, and I hope we are considerably better than them.

We cannot do away with the values we hold dear in order to fight terrorism. The convention on the prevention of terrorism makes much of the need for international co-operation, and it encourages the public to provide factual help. I commend the Council of Europe’s excellent work to influence the sort of line we in the UK are taking in putting forward a strategy that is convincing in dealing with terrorism while having the necessary effect to make that help happen.
When we consider the checks that will happen, this Bill and the 2000 Act specifically talk about travel to and from Northern Ireland, and from Great Britain and between different parts of this United Kingdom—from Northern Ireland to Great Britain, and from the top of Great Britain to the bottom of Great Britain—but no reasonable suspicion whatever is required for a person to be stopped, questioned and potentially searched by one of our border officials.

I will not push the point much further now but, in the atmosphere created around border controls, whether on the island of Ireland or between Northern Ireland and Great Britain, we need to consider this more thoughtfully. When our Scottish brethren, of whom the Security Minister is one, complained during the 2014 referendum that it was inappropriate for a UK citizen from Scotland, when travelling to a UK airport in England, to be stopped and questioned, the answer was, “Well, this House voted for it in the Terrorism Act 2000.”

The common travel area does not allow for a person to be stopped and checked for citizenship or to be asked about their right to travel. When that happens to people travelling from Belfast to Birmingham, it is an affront to UK citizens that they are stopped by a Border Force official. Those stops, those checks and those questions, offensively, are conducted under anti-terrorism legislation, and this Bill gives us the opportunity to thoughtfully consider whether that is really what we want in this country. I will never tie the hands of a Government who want to protect us from terrorists, but is it appropriate that an average citizen from one part of the United Kingdom travelling to another part of the United Kingdom is stopped under anti-terrorism legislation? I do not think it is, and I hope that is something we can thoughtfully consider as the Bill proceeds.

Clause 7 will make terrorist connections an aggravating factor in committing another offence, and it is wonderful that Northern Ireland is being included in that provision. I am not sure why we were left out of the Counter-Terrorism Act 2008—I am sure there was good reason, following political discussions in 2007, but it was not right. When a person is perceived or known to be associated with a terrorist organisation, be it an Islamist group, some other fundamentalist group or an organisation originating in Northern Ireland, whether connected to loyalism or republicanism, it is appropriate that that serves as an aggravating factor.

But again I raise the question: how does the Minister believe prosecutors will be able to convince a court that an individual has a terrorist connection? I know from my experience of the judiciary in Northern Ireland, and from my experience both as a barrister and as a politician, that it is extraordinarily difficult to ask a court to accept that a person has a terrorist connection unless, as part of either that prosecution or a previous prosecution, they have been convicted of that offence. I make the gentle point to the Minister that this undermines community confidence in policing and security in this country. People know that a provision is on the statute book that it is extraordinarily difficult to ask a court to accept that someone is associated with or involved in paramilitarism, yet there will be no mention in court of that individual to be sentenced for an aggravating offence. Why is that? It is because either there will be an unwillingness to prove it or an inability to do so. The unwillingness
will stem from our security services not wishing to share the intelligence that they have in open court. Colin Duffy walks the streets of Lurgan in Northern Ireland because of an unwillingness on the part of the judiciary in Northern Ireland to allow intelligence to remain private. Dissident republicans who have terrorised and tortured our society to this day, and are still intent on destroying Northern Ireland and taking us out of this United Kingdom, walk the streets today because of the inability to present intelligence in open court. The judiciary have said, “If you can’t do it, don’t bring it to us. If you are not prepared to show it openly, don’t bring it to us.”

So although it is wonderful that we are being included in this provision for the first time in 10 years, because Northern Ireland did not feature in this as part of the Counter-Terrorism Act 2008, I would like to know—I would be keen to engage with the Minister on this—just how this provision will proceed through an open court process and how such prosecutions will be made. Without going into the details, because of sub judice rules, let me say that there are cases at the moment where individuals are being proscribed in Northern Ireland because of how they signed off a text message with a Latin phrase, “quis separabit”, which means “who shall separate us?”

It is the motto of a proscribed organisation in Northern Ireland. Is that as far, without divulging intelligence, as prosecutors are going to go to try to satisfy this provision of “membership of a proscribed organisation” or an association with such an organisation? If it is, although it is great to be included in this provision, I suspect that no sentence given in a court in Northern Ireland will ever benefit from an aggravating feature and, thus, an increase. So I look forward to having the opportunity to meet the Minister to discuss this further.

The final part of my contribution seeks to bring to the attention of Members section 1 of the Terrorism Act 2006, which dealt with encouraging support for terrorism or the glorification of it. When it was put forward in 2005 and enacted in 2006, there was some discussion not only about “encouraging” people to engage in terrorism, but about the glorification of past offences, and a 20-year limit was put on such provision. That was not done in the legislation; it was spoken about openly and formed part of the guidance to police services. The approach was, “It is okay to glorify terrorist crimes as long as they were more than 20 years ago.”

That cannot be right and I hope the Minister will accept amendments to this Bill, be it in Committee or on Report, that will rectify that situation. It is appalling that people who are intent on removing life and destroying our society can legally eulogise such vile acts. I do not need to make that point from my perspective—from a Northern Ireland perspective—because we are seven years off 20 years since the 7/7 bombings. Does anyone in this Chamber think it would be appropriate for any group in this country to memorialise or eulogise the perpetrators of that vile act? We are seven years away from the potential for that happening, if the “20-year” guidance is accepted on historical acts under the 2006 Act. We should thoughtfully consider that.

Let me give the example of D Company, an IRA company in Belfast who parade through its streets each and every year. They dress in paramilitary-style clothing. They wear black berets, black sunglasses, smocks over their faces and military jackets. They have flags, bands and replica arms. They are glorifying acts of terrorism. The Northern Ireland Office is responsible for a body called the Parades Commission, but does it ever deem those parades sensitive, let alone ban them for breaching counter-terrorism legislation? No, it does not. It takes no interest in these parades. When we think about whether historical acts have the potential to glorify or not, we should consider this quotation from D company’s 2017 main speaker:

“British rule was wrong in 1916 and it remains wrong today in 2017. Let no one tell you different!”

D company of the IRA in west Belfast was one of the most notorious. It is attaching itself to the events in 1916 and it was responsible for historic acts during the troubles. It is making the connection very clear under the terms of the 2006 Act, saying that the same principles that applied then applied in 2017. If that is not a glorification of previous activities or an encouragement to others to recognise that the conditions under which they “proudly volunteered”—that is their view—equally apply today, and if that is not an encouragement under this legislation, I do not know what is. When those responsible for the Shankill bombing unveil a memorial 20 years to the day after carrying out that heinous act in 1993, we have a problem with legislation that tries to account for an historic act that cannot be seen as glorification or an encouragement. I raise this issue in hope, and I draw the analogy because not only have we had horrendous acts in the past year here in England, but we are not going to have to wait too long until it is 20 years after the 7/7 attacks. If Members in this Chamber are as horrified as I am at the prospect that such acts could be lawfully, sensibly eulogised in our society, this Bill gives us the opportunity to do something about it.

I want to thank the Minister, because he has engaged with us over the past weeks, and we have had the opportunity for briefings. I hope that during this Second Reading debate and in Committee we will get the opportunity to shape this Bill so that it does provide what we need to counter terrorism in all its forms in this country.

7.47 pm

**Eddie Hughes (Walsall North) (Con):** It is a pleasure to follow the hon. Member for Belfast East (Gavin Robinson), particularly as at least an element of my speech would have exhibited a degree of naivety without his. I will continue with it, but I think I should apologise for it in advance. The purpose of the first part of my speech was to juxtapose my experience of terrorism in this country with what was happening with regard to the IRA and its activities in this country. Part of my premise is that, after the Good Friday agreement we are in a position where any occurrences that happen in Northern Ireland make the news in a considerably lower-level format than they would have done during my time growing up. So it is almost easy to believe, viewing Northern Ireland from a distance, that all is well over there, peace has broken out and the world is a good place, whereas, the incident mentioned at the start of the hon. Gentleman’s speech clearly proves that that is not the case.

I was drawn towards making this comparison because it is my 50th birthday this year, the troubles started in 1968 and I wanted to talk about my experience of how
they had an impact on us in this country over that time. I am not old enough to remember this, but in 1972 we might have had the first cynical ceasefire that the IRA announced over the Christmas period, and yet only a short time later we had the bombings in Birmingham.

I fully appreciate that nobody has been convicted of those bombings in Birmingham, so it is not possible for us to say so with a degree of certainty or to attribute the cause to it, but I would say that we are fairly comfortable in knowing that the IRA was responsible, and many people lost their lives at that time.

Jim Shannon (Strangford) (DUP): Does the hon. Gentleman share the concern of those of us on this side of the Chamber within our party, and perhaps further afield, who see glorification in a play park in Newry being named after an IRA volunteer who was involved in a campaign of murder and terrorism, and in Gaelic Athletic Association clubs naming their venues and locations after IRA men and IRA women who have been involved in terrorist activity? Does he share our concern about glorification of their activities, which, hopefully, the Bill has the power to change—making it unlawful so that it cannot happen?

Eddie Hughes: I absolutely do share those concerns, and I sincerely hope that the Bill presents the opportunity to prevent that from happening. The hon. Member for Belfast East made the comparison that if we were to experience something similar in this country we would all think it an abomination, yet clearly, that is what is happening over in Northern Ireland.

Let us move through that period to come to a comparison that I want to make. In 1996 the IRA exploded in Manchester what I understand was the biggest bomb to be exploded on the mainland since the second world war—a 1,500 lb bomb. Fortunately, 90 minutes’ notice was given, and the excellent work of the emergency services allowed 75,000 people to be evacuated, although, unfortunately, those services were unable to defuse the bomb and I understand that 200 people were injured when it went off.

The cost of that bomb runs to the equivalent today of approximately £1.2 billion. I believe, but how this country responds to that sort of situation is to be celebrated. In 1996, England was hosting the European football championships. The following day, Germany was due to play Russia. That game proceeded and turned into a celebration of the fact that countries around the world would not be oppressed by terrorism and actually joined together in a celebration that said, “Terrorism will not win.”

Compare and contrast that with the bombing in Manchester last year. An Ariana Grande concert was targeted with the perpetrator knowing full well that parents would be there with very young children. It was completely despicable. My understanding is that the perpetrator, who was also killed in that attack, had been to Libya and had some Libyan connections. To draw back to that parallel, clearly Libya has been a source of great difficulty given that association and its previous association with the IRA over the suggestion of the supply of arms and a fight against what was considered British imperialism.

We need to say that we are not going to accept terrorism and that we are going to do everything we can to ensure that our laws are tidied up to prevent it. An element of that, which I would like to celebrate, is biometric data. We should celebrate the fact that, many years ago, DNA was discovered in this country, and the double helix formation was subsequently identified, but it was not until 1984 that Sir Alec Jeffreys was able to realise the benefits of using DNA to profile people and help to determine the difference between pieces of evidence.

We should celebrate that because DNA profiling is now used by 120 countries around the world, and 54 of them have DNA databases. This technology is not only used to help to identify people who are guilty; it helps those who are innocent. Its first use was in a case just two years after its discovery. It was a case in Leicester, where somebody had admitted rape and murder only to have the DNA evidence prove that they were not responsible. Some time subsequently, Colin Pitchfork was identified as the murderer as a result of DNA evidence.

It is important that we realise the benefits of modern technology and the pace with which it can change. We need to ensure in this House that the law tracks those developments, because people can now be radicalised in their home in the UK by reading literature produced in other countries. We need to ensure that we act appropriately to prevent the dissemination of that sort of information.

To return to the bomber in Manchester last year, that person acting alone, thanks to the internet and those illicit sources, had the opportunity to learn how to make a bomb using items that are freely available in this country. Without physical contact with other people, they were able to garner the information, be radicalised and carry out a dreadful act. It is surely essential that we do everything we can to tidy up the law in this country to prevent that.

I want to end with a quote I heard yesterday: “The law is reason free from passion.” Aristotle apparently said that. I think it is important that in this House we are not totally free from passion, that we remember these dreadful atrocities that have been committed and that we ensure that we have law that prevents them.

7.56 pm

John Woodcock (Barrow and Furness) (Ind): It is a pleasure to follow the hon. Member for Walsall North (Eddie Hughes). I have sat here and listened to some thoughtful speeches. In particular, the hon. Member for Belfast East (Gavin Robinson) gave us a lot to think about on an issue that I had hoped the Home Secretary would cover in his opening remarks—the new provision on encouragement, effectively, of terrorism through statements that fall short of specifically inciting support for proscribed terrorist organisations. This is a really important provision, as the hon. Gentleman set out cogently in relation to Northern Ireland.

This is a difficult subject to raise, but I am brought back to remarks made in the past by Members who sit on the Labour Benches, some when they were MPs. We have the man who would be Chancellor of the United Kingdom having apparently, in 1986, praised the ballot, the bomb and the bullet. That is deeply, deeply serious. If my understanding of the new legislation is right, had it been in place at the time that that Member apparently made those remarks, he would have been guilty of a terrorist offence. Is the Minister able to share his understanding on that, or is he going to let me raise the matter alone? This is a serious matter in and of itself,
but how wide-ranging these new powers could be deserves great thought from Members who will consider the Bill in Committee. I want to spend a little time talking about the case of Ethan Stables, a young man from Barrow, aged 20, who has just been committed under existing terrorism legislation. On 23 June last year, Ethan Stables posted on Facebook that he was going to war, that he was preparing for a slaughter and planning to attack a lesbian, gay, bisexual and transgender Pride event at the New Empire pub. Fortunately, those posts were immediately seen by someone local. The alarm was raised and he was picked up by the police as he was walking to the New Empire pub. He was convicted of terrorism offences. It was found that he had a machete and knives in his home, that he was a neo-Nazi sympathiser and that he had googled things such as “I want to go on a killing spree” and “What is prison like for a murderer?” Clearly, the signs were all there. There is a separate question about why it took so long to pick up Mr Stables. He was literally on the verge of attacking people who were celebrating a community event in the New Empire pub. If the legislation had been in place the fact that Mr Stables had repeatedly viewed violent videos online and looked at how to download and create his own bombs, would have made him guilty of an offence long before he got to the stage of actively planning. That in itself is surely a reason to welcome this new legislation.

The case of Mr Stables raises the wider question of resources. It is all very well having the offences in place, but the Government will need to explain how they will be able to secure prosecutions earlier on in the process, rather than finding a reason, once someone has been apprehended for other reasons, to go through their viewing history.

It is my understanding that there is no requirement, or indeed any legal possibility at the moment, for internet companies such as YouTube routinely to provide the IP addresses of people who have viewed banned material more than three times, which would make them subject to criminal action under this terrorist legislation. I am talking about videos which would potentially see YouTube found guilty of a criminal offence, or certainly a civil offence, if it kept them up after having been warned about them. Will the Minister address that matter in his summing up? Will he consider bringing that forward so that there is potential to catch more people who are online at the time they are doing this, rather than as part of some retrofitting?

The Home Affairs Committee took evidence last week from the Met police commissioner, Cressida Dick. She was quite clear about the scale of pressure that her resources are under, even at present. She went through a number of areas, including, of course, counter-terror, where more resource was needed and where the amount available was inadequate at the time. Yet this legislation creates a new tranche of offences, which, unless the Minister can explain otherwise, will not be sufficiently resourced to be properly policed.

The other major omission, which the Minister will expect me to raise as we have been backwards and forwards on it both inside and outside the House for many months now, is on the issue of returning jihadis. It is good to get the recognition from the Home Secretary in this debate that he is considering introducing the Australian-style offence at the amendment stage. I can see no other way in which the Government will be able to get close to securing sufficient evidence to prosecute people who are returning from places such as Iraq, Syria or wherever the next terror hotspot is.

The Minister knows that I was able to interview at length someone who was being held in a removal centre in Izmir, Turkey on suspicion of supporting Daesh. She was being removed back to the UK on those grounds. There was a suspicion at the time about what would happen to the woman whom we interviewed. The very tough rhetoric that we hear from the Government, which is that we always seek to prosecute individuals, is not actually commensurate with being able successfully to prosecute individuals once they are here. Clearly, people are going over. They are travelling to Syria without a specific or verifiable reason, such as being part of aid work. They are clearly not going for a valid reason, yet, at the moment, we need verifiable proof, which is very hard to find, to be able to prosecute such people.

A number of us have repeatedly pressed the Government on this. The Minister can enlighten us all on this in his closing remarks if he wishes, but for many months now the Government have refused to give the number of people who have returned from Syria who have been successfully prosecuted. The response now is that those numbers are not quantified in that fashion. Well, they were quantified in May 2016, when the Advocate General, Lord Keen, in the other place gave a written response. Back then, he said that 54 people had been successfully prosecuted, with 30 ongoing cases. Clearly, it is possible to update the House on this and the Government are choosing not to do so. Our strong suspicion is that that is because so few are able to be prosecuted—

Mr Wallace: I may be able to help the hon. Gentleman. Approximately 40 have been prosecuted so far—either because of direct action they have carried out in Syria or, subsequent to coming back, linked to that foreign fighting.

John Woodcock: I thank the Minister very much for updating the House. I note that 40 is fewer than the 54, the number we apparently prosecuted, according to Lord Keen, in May 2016. I need to examine those figures to see why they are different. I am grateful that, after many months of pushing, the Minister has given us a figure of 40. As he will know, the Government have said that 400 have come back, so we have been able to prosecute successfully only one 10th of those people. That is very significant.

Ministers in response are now saying that a significant proportion of the people coming back are no longer of concern to the security services. That is as may be, and we want the number of people who are no longer of concern to be as high as possible, but that does not mean that they are innocent of terrorism charges. If they have been to Iraq or Syria, have been aiding Daesh, in whatever form, and they are British citizens and they are returning, they have been aiding enemies of the British state. They are people who are wanted for enacting violence on our civilians and on our armed forces and they should be able to be prosecuted, which is why the Australian-style legislation, the declared area
offence, is a step forward. It would mean that anyone who has visited a designated terror hotspot without good reason—with declarations overseen by a judge—can be prosecuted for terror offences on their return. That would go a long way towards the deterrent effect that the Government understandably want to create to stop people from taking the crazy journey into war zones to support jihadi organisations that seek to destroy our way of life.

8.10 pm

Kevin Foster (Torbay) (Con): It is a pleasure to be called to speak in this debate and particularly to follow the hon. Member for Barrow and Furness (John Woodcock), who made a thought-provoking speech. It was certainly interesting to hear references to one or two of his party’s Front Benchers, although it is probably better that I focus on the substance of the debate than on whether I agree with his comments.

It is important to discuss how to ensure that those who actively set out to support terrorists and organisations that wish to destroy democracy, rather than to engage in debate and democracy, feel the force of the criminal law. I am pleased that this Bill will update the legislation to reflect the fact that we are now in the internet era. However, we must temper this with ensuring that nobody can innocently fall foul of the offences. That can be considered in detail in Committee. I was reassured to hear the Home Secretary’s responses to a number of interventions on this point. He said that there will almost certainly be a reasonable excuse defence for those who might stumble on material or for those who might be engaged in research that we would want them to do and that is not connected to another intention.

I am conscious that these definitions need to be drawn fairly tightly to ensure that we do not create a loophole that could be used by someone just claiming that they were engaging in research. For example, we would need them actively to show that they were part of a recognised research project. I am sure that we can sensibly work out such matters when we discuss the Bill in detail. We must always ensure that our intention is clear in the legislation that we pass, rather than hoping to see the Home Secretary’s responses to a number of interventions on this point. He said that there will almost certainly be a reasonable excuse defence for those who might stumble on material or for those who might be engaged in research that we would want them to do and that is not connected to another intention.

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I am very pleased with what I have heard. It is right that we end the position whereby the law is not necessarily brought into effect by people streaming material, especially given the explosion—figuratively, not literally—of available sources. People can now stream video to their mobile devices in particular, whereas they would have downloaded material from sharing sites in the past. It is also appropriate that the protections are in place to ensure that nobody is innocently caught by such offences.

It is inappropriate that more significant sentences are available to the courts for the offences listed in the Bill. Those who are looking to take part in plots to cause significant loss of life should know about the sentencing powers available to the courts and that those powers will actually be used. I was particularly interested to hear my hon. Friend the Member for Cheltenham (Alex Chalk) mention the possible sentence for someone who pleads guilty. This legislation is not just about everyone getting the maximum sentence, which is very unlikely to happen, but it will raise the bar for each person convicted or pleading guilty to such offences and ensure that they get time in prison that is commensurate with their offence, time in which it might also be possible for prisons to do useful work with them to turn them away from an extremist path.

We have debated Prevent. Ultimately, the motivation behind this type of behaviour does not matter. It could be the politics of the extreme left or right, or a totally perverted interpretation of a religion. I must be clear that in such cases of extremism or terrorism, the interpretation of the religion is always a perverted one. No religion genuinely backs the actions of extremists walking into a concert and blowing themselves up among women and children who are just enjoying the evening. We need provisions in place to turn people away from that path.

I have certainly found it interesting to listen to this debate. The public are clear that there should be increased sentencing provisions to allow the courts to deal with those who commit such offences. We have seen many stories over the past few years. In particular, I look back at the events of a year ago, when those who were hoping to use terror attacks to deflect from the general election campaign attacked innocent civilians. They hoped that they would somehow terrify people to change policy or elect people to this place who might not agree with tackling such issues. In fact, all they did was strengthen the resolve of those of us who are democrats, as happened when this Parliament and its Members—some of whom are commemorated on the walls of this very Chamber—were under attack in the past. We were not deflected from our confidence in democracy then, and we will not be deflected in the 21st century from tackling those who wish to destroy democracy. We will ensure that those who believe that they can express views with impunity online that they would never think of expressing in another public forum know that the law will catch up with them.

Members have discussed the retention of materials, particularly fingerprints, as the shadow Home Secretary picked up on the point regarding biometric details. This issue clearly needs further detailed scrutiny and debate. I think that we would all say that there are legitimate intelligence grounds for the police keeping such details following an arrest in circumstances where particular conditions are met. We would not say that details should be destroyed immediately merely because an offence was not proceeded with. I accept that this needs to be balanced with the fact that those who are wholly innocent should not think that their data will always be on a database. For example, there may be a case of mistaken identity that leads to an arrest, or a piece of intelligence may be found leading to the discovery that someone is not, or is unlikely to be, guilty of an offence. It will be interesting to explore how this balance can be achieved in more detail in Committee. Clearly, it was not sensible to throw away potentially valuable evidence that might at a later stage allow us to proceed on an offence, to prevent the commission of a further offence, or simply to identify someone. Again, we have to balance that against rights. The principle is right and the overall thrust of the Bill is correct in this matter, but we could explore it in more detail in Committee and on Report.

Overall, the Bill is timely. The threats against this country are growing—not just from non-state actors such as Daesh, but from rogue state actors who seek to
engage in behaviour that few of us would have thought likely even a few years ago. The use of chemical weapons against two people on our soil would have been unimaginable only a decade ago. It is therefore right that our legislation is kept fully up to date. The Bill will allow the House and Parliament as a whole to review the legislation, look at it in more depth and produce an Act of Parliament that is firmly rooted in the digital era. In the past, we would have been talking about people displaying flags in public places as our main worry. Now it is about what people are displaying online, particularly under a false flag of a fake digital identity.

This has been a useful debate. I look forward to seeing the Bill progress. It has my support. It has been encouraging to hear the views from across the House that indicate that it is likely to receive cross-party support.

8.18 pm

Sir Edward Davey (Kingston and Surbiton) (LD): I come to this debate wanting to be positive about attempts by the Government to give our police and security forces the powers that they need in the fight against terrorism and to balance that with the equal priority of ensuring that we do not hit our civil liberties and therefore give the terrorists a victory. Already we have heard how different aspects of this Bill will be judged by those tests.

No one who witnessed the horrors in London and Manchester last year can be in any doubt that we need to redouble our efforts to protect the public. The evidence is clear, and the terrorist threat across the UK remains severe. With that threat morphing into a diverse range of threats, including people acting alone, and with the numbers involved increasing, if anything, the terrorist threat for our security forces and the police is probably the most difficult it has ever been.

Liberal Democrats will not, at this early stage, seek to oppose this Bill, but Ministers and those watching this debate should not take that as agreement, in full or in part, to these proposed laws. We need to scrutinise the Bill to make sure that we get the balance right. It is already clear from this debate that there are serious questions whether some of these proposed laws are necessary, whether they are properly based on sound evidence and whether there are sufficient safeguards to prevent their being abused against totally innocent citizens. The Government may have a job in persuading this House and the other place that these measures should pass totally unamended in the form that we see them tonight.

In considering yet another piece of terrorism legislation, the House should recall the opinion of the independent reviewer of terrorism legislation, Max Hill, when he was appointed just over a year ago. He said that he thought that the UK had sufficient offences in the fight against terrorism and that we did not need any more. In a speech in October last year, he said:

“I would suggest that our legislators have provided for just about every descriptive action in relation to terrorism, so we should pause before rushing to add yet more offences to the already long list.”

In his early comments on this Bill, he has gone on to say that “the Counter-Terrorism Bill does not contain a single new terrorist offence.” This assessment may seem at odds with what Ministers have sought to persuade the House that they are doing and with complaints by organisations such as Liberty. How Max Hill squares this circle is quite important. He believes that the Bill is only clarifying what is meant by existing offences. Let us see in debate whether it is simply a clarification or whether we are creating new offences.

Clause 3, which is about obtaining or viewing material over the internet, brings in the three click rule that we talked about earlier. The question for the House is whether we think that the line between committing a criminal offence punishable by years in prison is one extra click of a mouse, such that someone moves from innocent at two clicks to guilty at three. There is good reason for the House to scrutinise this, because it is about the intention behind the clicks as opposed to the clicks themselves.

On one level, it might seem reasonable to question the motives of someone who continually looks at violence and hate-inciting material. But what if the intention of that person was never one of pursuing dual terrorism? Perhaps they were a journalist; we have heard that there are protections for journalists. What if the person was so shocked and appalled by the material that they were drawn to look at it again, in their disapproval? We need to make sure that genuinely innocent people are not caught. I was quite pleased by the way that the Home Secretary responded to that point, because it did appear that he was open to genuine scrutiny of it. That is very welcome.

We need to make sure that we abide by the normal ways in which we approach free speech. We usually criminalise free speech only if there is an intention to promote harm, violence and hatred, or to carry out terrorist acts as a result of viewing the material. There is potentially a danger that this proposal crosses a line, so we need to look at it in detail.

In my early reading of these proposals, I have had a few other concerns. The hon. Member for Torbay (Kevin Foster) talked about how important biometric data can be, and he is absolutely right. However—he touched on this in a very thoughtful speech—there are issues of innocent people’s biometric data being retained, such as people who have never committed a crime or people who have been unlawfully or wrongly arrested. Should their DNA—their biometric data—be kept by the police? Possibly for a short period, but what will be the rules on checking that their civil liberties and rights are not constrained and that that biometric data is disposed of in a correct and verifiable way when it is clear that they have nothing to do with any such crimes?

I am not just worried about civil liberties in this regard; I am also worried about the impact on the Government’s negotiations for an EU-UK security partnership should Brexit actually happen. Ministers will know, whether from debates over the general data protection regulation or recent European Court of Justice rulings, that the UK may struggle to get an adequacy agreement from the Commission. The recent immigration data exemption from data rights such as subject access requests are very likely—rightly, to my mind—to be sounding alarm bells at the Commission. Yet it is super-vital
to our fight against terrorism and against organised crime, vital for this country’s security, that the data flows between the UK and the rest of the EU, whether the data relates to the work of Europol, Prüm, ECRIS—the European criminal records information system—or the Schengen information system II. I am not sure whether the Government, with all the different things they are doing in this area, are presenting a very strong case to our EU colleagues. Will keeping the DNA of innocent EU citizens help our case for an adequacy agreement? Will the Minister say whether an assessment has been made of how this Bill will affect the UK’s chances of securing this vital adequacy agreement, so that we can keep those data flows going to get these wicked people?

My concern about safeguards relates to the way in which the Home Office often operates. In Westminster Hall this coming Wednesday, there will be a debate about section 22, paragraph 5 of the immigration rules, whereby they are used to refuse leave to remain in this country on the basis that the applicant is somehow a threat to national security. This immigration rule has been used when applicants have committed minor tax offences—conduct that was not foreseen when Parliament gave the Home Office these powers. When we debate new rules and new powers for officials, we have to make sure that there are safeguards so that they are not used for unintended purposes.

Let me move on to the Contest, or Prevent, strategy. The Home Secretary seemed rather complacent that all was well with this strategy. When we look at the perception and experience of some people, we might think that expanding referral rights to local authorities seems a terribly modest measure—I know that the Security Minister thinks so—but the question is, how will it be perceived? Although I am sure that the Minister believes that the measure is harmless, if it is based on the assumption that there are many communities out there who think that Prevent is fine, that is an incorrect assumption. For many communities, rightly or wrongly, Prevent is a flawed programme. As I said to the right hon. Member for South Holland and The Deepings (Mr Hayes), this may be a matter of perception.

I absolutely accept that there are many successful individual projects and areas of work within the Prevent programme. No one can deny that. However, a long list of organisations inside and outside this House have pointed to how Prevent has alienated at least some communities. We should think about that before we act. The Home Affairs Committee has warned about this, as have the Joint Committee on Human Rights, the UN special rapporteur on the rights to freedom of peaceful assembly and of association, the National Union of Teachers, Muslim community associations and the independent reviewer of terrorism legislation. All these people have expressed worries about how the Prevent programme is seen. Given those widely held concerns, I am surprised that the Government are choosing this moment to expand the programme.

Surely it would be far better to restore confidence and trust before involving people’s local council. Many of us would support an independent review of the Prevent strategy, as the shadow Home Secretary said, and the Government’s Commission for Countering Extremism might lead on that. I hope that the Government will reflect on that matter further before pursuing it.

There are clauses in the Bill that one really welcomes, such as clause 19, through which the Government are attempting to improve the system of insurance against terrorist acts. We have had conversations with Members on that. I want the Minister to look specifically at the problems that small businesses and larger businesses involved in hiring and leasing vans and cars are getting into. This is a real concern for them, and I know they are lobbying the Treasury on it. After relatively recent changes in the law, those businesses face unlimited liability if the person who rented or leased a van goes on to use it to commit a terrorist act. Because of the unlimited liability, those businesses’ insurers are saying, “We’re not going to insure you.” If a whole sector is hit because it cannot get insurance, that is a huge problem for our whole economy and society. There may be industry and private sector solutions—I am told that there may be a mutual arrangement in the sector—but if that does not work out, the Bill may be a vehicle to tackle that problem, so that terrorists cannot undermine our economy indirectly in that way.

The last measures I would like to talk about are clauses 1 and 2. As we have heard, clause 1 extends the existing offence of inviting support for a proscribed organisation, so that a person commits that offence if they show support for a proscribed organisation and are reckless in that expression of support. I intervened on the hon. Member for Cheltenham (Alex Chalk) on the issue of recklessness, but he may have understood that he is not in his place, so he cannot respond. Clearly the concept of recklessness exists in law at the moment and is used particularly in relation to the actions that he cited. However, even judging whether people have behaved recklessly in physical acts of violence is pretty controversial, because it is not seen as terribly objective. Different interpretations of recklessness in relation to physical violence—the Caldwell and Cunningham versions—have been found by the courts. That test is much more difficult when applied to speech. If it is subjective with respect to actions, its subjectivity in terms of speech and the impact of that speech on other people seems very difficult to measure. We will have to look at that in some detail.

Clause 2 relates to how clothing might be linked to a proscribed organisation. My concern is how general the clause is. The Minister will know that there are 88 proscribed organisations. I think all of us would be extremely worried if people were going around with flags and encouraging people to join some of those organisations, but when was that last looked at?

I will give one example from Sri Lanka that may be controversial among some Members. I think the last Labour Government were wrong to proscribe the LTTE, or the Tamil Tigers. It has committed some horrific acts and atrocities—there is no doubt about that—but it was involved in what many people regard as a civil war. In this country there are British Tamils who have become refugees and Sri Lankan asylum seekers who support the aims of the Tamil Tigers, but not its methods, and for them, it is a political movement. I have met young Tamils living in the UK who wear T-shirts bearing one of the emblems of the Tamil Tigers, which is a roaring tiger head with two rifles. I have assured their kind offer of such a T-shirt and have not worn one, but I do not think their offer of a T-shirt should be punishable by a prison term. Does the Minister think that wearing such
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[Sir Edward Davey]
a T-shirt of a proscribed organisation will result in the arrest of those people? Will individuals wearing clothing with Tamil Tiger emblems put their liberty in danger if the Bill is passed?

Those are the sorts of question we will have to subject the Bill to as it is debated. I know the Minister is a reasonable and thoughtful man who will want to avoid unintended consequences and injustices, and perhaps he will be able to satisfy us on the concerns we have raised this evening.

In concluding, I would simply like to quote from a letter to The Times last year signed by leaders of the legal professions and organisations such as Liberty and JUSTICE. They wrote:

“Suggestions made before the general election, that human rights prevent the police fighting terrorism, are misguided…Human rights exist to protect us all. Weakening human rights laws will not make us safer. Terrorists cannot take away our freedoms—and we must not do so ourselves.”

8.34 pm

Sir Geoffrey Clifton-Brown (The Cotswolds) (Con):
Thank you for allowing me to catch your eye, Madam Deputy Speaker. As this is the first speech I have made in the House since your colleague, the right hon. Member for Epping Forest (Dame Eleanor Laing), received her tribute to her?

There is nothing more important or more serious for this House to discuss than terrorist issues, because the terrorist seeks to destroy the fundamental rights enshrined in democracy by undemocratic means, which we must do all in our power to prevent.

Before I get on to the Bill, I want to address the comments made by the hon. Member for Belfast East (Dame Eleanor Laing). I totally take to heart what he said about the glorification of terrorist acts once they are, as it is called, time-expired. If I were a member of a family who had lost victims in terrorist incidents, I would feel utterly sick, and I hope that he will succeed in his aim of somehow amending the Bill to prohibit that practice. In saying that, I take to heart what he said about excesses by our military, but I think we owe it to the military—I do not suppose that this will form part of the Bill—to limit the time when a member of our armed forces can be prosecuted for events that took place while serving in a military campaign, including in Northern Ireland. I hope that the Government will somehow find a way to do that before too long.

As I mentioned in an intervention earlier, this debate takes place in the atmosphere that was described by Andrew Parker, the director general of MI5. On 17 October 2017, in a rare public speech by such an official, he described the ongoing terrorist threat as “multi-dimensional, evolving rapidly, and operating at a scale and pace we’ve not seen” from such threats. Indeed, in the year ending 31 December 2017, there were 412 arrests for terrorism-related offences in Great Britain, an increase of 58% on the 261 arrests in the previous year.

In his speech earlier, my right hon. Friend the Home Secretary said there have been 25 Islamic attacks since 2013, including four external plots since the Westminster atrocities. I therefore want to pay a sincere tribute to the police and the security and intelligence services, who often put their lives at risk in very difficult and dangerous circumstances to keep us all safe, and they do a terrific job. As if that were not enough, we then had the horrific attack on Yulia and Sergei Skripal, and indeed Sergeant Nick Bailey, on 12 March. Following those attacks, the Prime Minister announced on 14 March that, as part of a response to that incident, the Government would “urgently develop proposals for new legislative powers to harden our defences against all forms of hostile state activity”.—[Official Report, 14 March 2018; Vol. 637, c. 856.]

I will move on to one or two of the provisions in the Bill. The first is the provision to make a temporary exclusion order to disrupt and control the return to the UK of British citizens reasonably suspected of being involved in terrorism abroad. As we have heard in the recent exchanges, that is a very difficult offence to prove, and it is clear to me that it needs tightening up. It is also clear to me that, where there is intelligence or other evidence that people have deliberately travelled abroad to take part in terrorist training or atrocities, they deserve to be prosecuted when they come back.

I was quite attracted to the idea of proscribed areas. Why would anybody want to go to Syria, for example, and put their life at risk, unless it was for a specific valid reason such as being a journalist or overseas aid worker? There is a defence in the Bill of having a reasonable excuse for having travelled to these areas, and I am very pleased to hear that my right hon. Friend the Secretary of State is considering such a provision as a possible amendment to the Bill.

I am also pleased that the Bill contains provisions to be inserted into the Road Traffic Regulation Act 1984 relating to anti-terrorism traffic regulation orders—the so-called ATTROs. As we have so sadly witnessed in the Westminster attack and others elsewhere, an ordinary car, van or lorry can be a weapon in the hands of a terrorist. The ability to prevent people from being in certain areas at certain times is a sensible one to have. In fact, we should be able to ban traffic from a wider area around any events that are likely to be attended by large numbers of people.

I was pleased to see that the Bill will extend sentences for certain terrorist offences from 10 years to 15 years, and that the sentence actually served will be longer than the norm for non-terrorist offences. As I said in an intervention on my hon. Friend the Member for Henley (John Howell), however, we will have to watch radicalisation in our prisons. I know from hearings of the Public Accounts Committee that conditions in our prisons are getting ever more difficult, including the smuggling in of more dangerous drugs and understaffing. It is very difficult to police what goes on in our prisons, but our prison warders and others have to be ever more vigilant for radicalisation taking place in our prisons, and we must do our level best to try to prevent it.

I am also pleased that the Bill contains provisions for allowing Government-backed reinsurance, so-called Pool Re, to be taken out for business interruption. Sadly, some of the small market traders in Borough were put out of business because they were unable to trade for so long.

I made several interventions earlier on the subject that I wish to concentrate on in my final remarks—terrorists’ use of the internet. As has been said, the terrorists’ modus operandi is getting ever more fleet of foot and
using ever more innovative methods. We as legislators, therefore, have to be ever more fleet on our feet to counter them. Terrorists are making still greater use of the internet than ever before. We do not yet have the powers to deal with that. I take strongly to heart the point made by my right hon. Friend the Home Secretary that 1.9 million items of potential terrorist material have been removed from the internet—a 17% increase on last year. The use of the internet is clearly getting greater.

It has already been possible to prosecute people for downloading offences, but it has not been possible to prosecute people for streaming and viewing possible terrorist material on the internet. I know much has been said in the debate about the three strikes approach to viewing such material. A balance has to be struck. Personally, I would make it two views. While once might be a mistake, twice almost certainly is not, and three times establishes a pattern of behaviour that clearly indicates that someone is looking at the material with some form of purpose or intent. The Bill contains a “reasonable purpose” excuse, so a journalist or researcher looking at the material would have a reasonable excuse, but it is right to make looking at it an offence.

It is also right, as the Digital, Culture, Media and Sport Committee is doing, to look at how the internet providers can remove such material as quickly as possible. There may well be a need to legislate if that does not happen with increasing rapidity. As I said in an intervention earlier, I cannot see why the likes of Google and Facebook, which have some of the best IT writers on the planet, cannot write programs or use AI to recognise such material and take it down immediately. After all, that is the best remedy, so that people do not have the opportunity to view it. It is all very well prosecuting when they do view it, but it must be best if they do not have the opportunity. I did not want to know the precise mechanisms, because of security implications, but I was interested to know what discussions my right hon. Friend had had with internet providers in the United States on what they could do on a voluntary basis to make the withdrawal of such material much swifter and much more effective.

There are some very important provisions in the Bill, which I welcome. We need to keep ahead of the terrorists. These are some of the most vile crimes on the planet, and we need to ensure that people who contravene the norms of our democratic society are prosecuted, convicted and locked up for a long time. We need to ensure that they know that that will happen, and hopefully that will be a deterrent.

8.45 pm

Mr Kevan Jones (North Durham) (Lab): The first duty of any state is to protect its citizens. Historically, this has meant protecting ourselves from other states. That is still relevant today, but increasingly the threat is from terrorism, whether generated here or internationally. Is that going to diminish in the near future? Not from the evidence I have seen.

I would like to begin by adding my thanks to the members of the security and emergency services who reacted so professionally to last year’s tragic events in Manchester and London. We should not forget that members of our police, security agencies and armed forces keep us safe 24 hours a day. We should not take that for granted. The reaction to such events tends to be to want more legislation, but Dave Anderson, the independent reviewer of terrorism legislation, got it right when he said that the necessary legislation already exists. The intention of the Bill is to tighten up existing legislation. I broadly welcome the provisions in it.

It is clear that radicalisation is taking place through the internet. Dissemination of propaganda is not new. In times past, it would have been done through pamphlets, books and meetings. In the 1790s, sedition Acts targeted radicals who argued for revolution from France. Throughout history, Governments have introduced various Acts to try to stop the spread of terrorism and what has been perceived to be radical thoughts against the interests of their citizens.

The situation today is rather different. Online radicalisation is not something we can put our hands on—we cannot put our hands on a book or a pamphlet; we cannot close down a meeting—and it is an international global phenomenon. The access point is relatively low. Sophisticated equipment is not needed to produce a video and upload it. It can be done using a smartphone or even a simple watch on one’s wrist. That is very different from what we talked about in relation to the Terrorism Act 2000. That shows the rate of change. It is right for the Government to react to this type of threat and to the changing way in which this type of radicalisation and propaganda is being put out there.

Another side to this issue, which is not covered in the Bill, although it would be interesting to know what the Government are considering, is terror and finance. I know the Government have taken some steps, but if we look at the open source literature, we see that the dark net is being used to raise money for terrorism organisations and organised crime. This is an area seen to be beyond the reach of law enforcement. In terms of extending that reach, I support the proposal in the Bill for extra-territorial reach to enable actions to be brought against those who radicalise individuals from overseas. This has been an issue. Those returning from Syria, Iraq and other places have been using that so-called safe haven to put out propaganda deliberately aimed at vulnerable people to ensure that they can be radicalised and to incite acts of terrorism here. The change in the Bill that allows those individuals to be prosecuted is right.

Many people who know me know that I am not a bleeding-heart liberal on this subject, but I am a bit concerned about some things in the Bill. There are two issues. First, are the measures practically going to make a difference? Secondly, will they give the opponents not just of this Bill, but of counter-terrorism legislation generally, a club with which to beat the Government? I think the Government have given them that on the viewing of online material, in terms of the three views.

As my right hon. Friend the Member for Normanton, Pontefract and Castleford (Yvette Cooper) said, it would be illegal for someone to view something three times, but it would not be illegal, for example, for Google or another provider to host the material. The problem I have is not necessarily about whether this needs to be looked at—I think it does. However, it comes down to proportionality and whether there is the capability so that this does not overwhelm our security services and police. Clearly, if someone is viewing things on a regular basis and we can build up a picture of what they are doing, we need to have legislation or measures to take against them.
GIVE CREDIT TO THE FORMER HOME SECRETARY, THE RIGHT HON. MEMBER FOR HASTINGS AND RYE (AMBER RUD), FOR HER EFFORTS TO TRY TO GET INTERNET PROVIDERS TO TAKE SUCH MATERIAL DOWN IN THE FIRST PLACE. HON. MEMBERS HAVE SPOKEN IN THIS DEBATE ABOUT ARTIFICIAL INTELLIGENCE AND OTHER WAYS IN WHICH THIS MAY BE DONE AT A QUICKER PACE IN FUTURE—ALTHOUGH SOMETIMES WE MIGHT WANT IT TO STAY UP LONGER, SO THAT WE CAN FIND OUT WHO IS PRODUCING IT. HOWEVER, I WANT TO ASK THE GOVERNMENT: HOW IS THIS PART OF THE LEGISLATION PRACTICALLY GOING TO MAKE A DIFFERENCE? IF IT IS, THE GOVERNMENT WILL HAVE MY 100% SUPPORT FOR IT, BUT I THINK IT WILL BE A DIVERSION FOR CAMPAIGNERS AGAINST THIS ENTIRE BILL, WHICH WOULD BE UNFORTUNATE. THE RIGHT HON. MEMBER FOR KINGSTON AND SURBITON (SIR EDWARD DAVEY) IS NOT IN HIS PLACE, BUT HE TALKED ABOUT THE ISSUE OF INTENT, AND THIS IS ABOUT INTENT. IF SOMEONE IS CLEARLY DOWNLOADING OR SHARING INFORMATION THAT IS ALREADY ILLEGAL ON A REGULAR BASIS, IT IS QUITE RIGHT THAT THEY ARE PROSECUTED, BUT I JUST WONDER WHAT PRACTICAL EFFECT THE MEASURES WILL HAVE AND WHETHER WE HAVE THE RESOURCES TO POLICE THIS OR ENACT IT IN THE FIRST PLACE.

I WANT TO TOUCH ON A COUPLE OF OTHER AREAS IN THE BILL. ONE IS THE MANAGEMENT OF THOSE CONVICTED OF TERRORISM OFFENCES. MANY OF MY CONSTITUENTS WOULD THINK THAT IF SOMEONE HAS BEEN CONVICTED OF TERRORISM, THEY SHOULD STAY IN JAIL FOR LIFE, NEVER BEING RELEASED, BUT WE KNOW THAT THAT IS JUST NOT PRACTICAL. THE BILL HIGHLIGHTS AN IMPORTANT POINT, WHICH IS HOW WE MANAGE THESE INDIVIDUALS ONCE THEY HAVE SERVED THEIR SENTENCE. I ASKED THE HOME SECRETARY IN AN INTERVENTION EARLIER WHETHER THIS WOULD BE DONE IN THE SAME WAY AS IT IS, FOR EXAMPLE, FOR SEX OFFENDERS WHO ARE RELEASED AND MONITORED IN THE COMMUNITY, AND HE SAID YES. IF THAT IS THE CASE, THAT IS A GOOD MODEL, BUT IT IS EXPENSIVE. IF WE ARE GOING TO HAVE THAT TYPE OF MONITORING—I KNOW IT IS EFFECTIVE AND I KNOW ABOUT THE GOOD CROSS-WORKING IN MY AREA BETWEEN THE PROBATION SERVICE AND THE LOCAL POLICE—I JUST WANT TO BE SURE THAT WE HAVE THE NECESSARY RESOURCES AT LOCAL LEVEL. THESE INDIVIDUALS WILL NEED MONITORING IN SOME CASES AND THAT WILL BE NECESSARY AND RIGHT IF WE ARE TO PROTECT OUR CITIZENS. THEREFORE, I WELCOME THAT PROVISION, BUT ONLY WITH THE PROPER RESOURCES AT LOCAL LEVEL TO BE ABLE TO DO IT.

I SUPPORT THE PROVISIONS IN THE BILL THAT REFER TO CHANNEL PANELS FROM LOCAL AUTHORITIES. AT THE MOMENT, THE POLICE CAN MAKE REFERRALS, BUT MANY INDIVIDUALS COME INTO CONTACT WITH OTHER AGENCIES, AND THERE SHOULD BE A MECHANISM FOR REFERRING THEM TO PREVENT PROGRAMMES. MY ONLY CAVEAT IS THAT TRAINING OR SOME RESOURCE HAS TO BE PROVIDED FOR LOCAL AUTHORITIES AND OTHERS TO ENSURE THAT THEY UNDERSTAND EXACTLY HOW THE SYSTEM WORKS.

WE DEBATED THE ENTIRE PREVENT PROGRAMME EARLIER, AND MY RIGHT HON. FRIEND THE MEMBER FOR HACKNEY NORTH AND STOKE NEWINGTON (MS ABBOTT) SAID THAT IT DID NOT HAVE SUPPORT IN CERTAIN COMMUNITIES. I RECOGNISE THAT. IT IS PARTLY DOWN TO A SUSTAINED CAMPAIGN BY CERTAIN ORGANISATIONS TO DISCREDIT IT. I AM NOT OPPOSED TO REVIEWING THE SITUATION, BUT WHAT WOULD WE PUT IN ITS PLACE? THERE IS A LOT OF TALK ABOUT THE ASIAN COMMUNITY, BUT PEOPLE INVOLVED IN POTENTIAL ACTS OF RIGHT-WING TERRORISM ARE ALSO REFERRED TO PREVENT. I CONGRATULATE THE GOVERNMENT ON THEIR NEW EMphasis ON RIGHT-WING TERRORISM. IT IS A GROWING PROBLEM NOT ONLY IN THIS COUNTRY BUT ACROSS EUROPE. SOME OF THE GROUPS ACROSS EUROPE ARE CERTAINLY NOT BENIGN AND THEY COMMIT ACTS OF VIOLENCE AND TERRORISM NOT ONLY AGAINST LOCAL MUSLIM POPULATIONS AND OTHER MINORITIES BUT TO TERRORISE OTHER INDIVIDUALS. WHAT THEN WOULD WE PUT IN PLACE OF PREVENT? I HAVE NOT HEARD ANYONE ANSWER THAT. I AGREE WITH THE RIGHT HON. MEMBER FOR SOUTH HOLLAND AND THE DEEPINGS (MR HAYES). THINGS CAN ALWAYS BE IMPROVED, AND WE SHOULD ALWAYS LOOK FOR IMPROVEMENTS, BUT WHAT WOULD WE PUT IN ITS PLACE?

I AM NOT SURE HOW WE TACKLE THIS, BUT I AM CONCERNED ALSO ABOUT THE OLD ISSUE OF VULNERABLE INDIVIDUALS IN COMMUNITIES. AT LEAST ONE OF THE TERRORIST OUTRages LAST YEAR HAD A MENTAL HEALTH ELEMENT. WE NEED A MECHANISM FOR IDENTIFYING AND HELPING AT-RISK INDIVIDUALS WHO DO NOT COME INTO THE ORBIT OF A LOCAL AUTHORITY OR THE HEALTH SERVICE. THESE ARE VERY VULNERABLE INDIVIDUALS WHOSE MINDS CAN BE PREYED UPON AND USED BY PEOPLE WITH BAD INTENTIONS. I AM NOT SURE HOW WE DO THAT, BUT WE DO NEED TO CONSIDER IT.

ON PORTS, I AGREE WITH THE HON. MEMBER FOR BIFFIELD EAST (GAVIN ROBINSON), WHO COVERED THE PROBLEMS VERY WELL. I SEE WHAT THE MINISTER IS TRYING TO DO, BUT I CANNOT SEE THE NEED FOR IT. IT IS SLAPPED UNDER THE LABEL OF STATE ACTORS, AND IF IT IS TO DEAL WITH THAT, IT HAS MY FULL SUPPORT, BUT I TAKE ON BOARD THE HON. MEMBER’S POINTS. A RELATED MATTER, AND ONE THAT RAISES ISSUES OF ENTRY TO AND EXIT FROM THIS COUNTRY, IS THAT OF CLOSED SUBJECTS OF INTEREST. FROM WHAT I HAVE SEEN, SALMAN ABDI TRAVELLED IN AND OUT OF THIS COUNTRY WITHOUT EVER APPEARING ON ANY RADAR SCREEN. THERE IS, THEN, AN ISSUE AROUND MONITORING CLOSED SUBJECTS AND OTHERS WHO COULD BE A THREAT AS THEY MOVE BETWEEN COUNTRIES.

FINALLY, I WANT TO MENTION SOMETHING THAT IS NOT IN THE BILL AND ON WHICH I WOULD WELCOME THE MINISTER’S RESPONSE. DAVID ANDERSON MADE SOME VERY GOOD RECOMMENDATIONS IN HIS REPORT. SOME WERE OPERATIONAL ISSUES FOR THE SECURITY SERVICES AND POLICE, BUT OTHERS WERE AROUND THE SELLING OF PRECURSORS FOR EXPLOSIVES, SUCH AS FERTILIZERS AND PEROXIDE, AND THE HIRING OF VEHICLES. ARE THE GOVERNMENT YET IN A POSITION TO LOOK AT WHAT DAVID ANDERSON SAID ABOUT THOSE MATTERS? WILL THEY PRESENT PROPOSALS TO TIGHTEN THE REGULATION OR MONITORING OF PEOPLE WHO BUY THE PRECURSORS OF POTENTIAL EXPLOSIVE DEVICES, OR TO DEAL WITH ISSUES RELATING TO THE HIRING OF VEHICLES, WHICH WERE TRAGICALLY USED IN SOME OF THE ATTACKS THAT OCCURRED IN 2017?

I BROADLY WELCOME THE BILL, BUT IT CLEARLY NEEDS MORE SCRUTINY. I HOPE THE LEGISLATION THAT EVENTUALLY EMERGES IS PROPORTIONATE AND, AT THE END OF THE DAY, EFFECTIVE, BECAUSE THAT IS WHAT WE ALL WANT. I DO NOT THINK WE WILL EVER BE ABLE TO PREVENT EVERY SINGLE ACT OF TERRORISM, BUT OUR AIM MUST BE TO MAKE SUCH ACTS AS HARD AS POSSIBLE TO COMMIT.

9 pm

Nick Thomas-Symonds (Torfaen) (Lab): This has been a wide-ranging and thoughtful debate.

Two years ago, our late friend and parliamentary colleague Jo Cox was murdered, and between March and September last year there were five terror attacks. At the forefront of our minds are those who lost their lives in the incidents at Westminster Bridge, Manchester Arena, London Bridge and Borough Market, and Finsbury Park, and those who were injured at Parsons Green. We think of Jo and others who are no longer with us, and we think of the injured and their friends and families.
We also think of our magnificent emergency services who, time and again, showed extraordinary bravery and courage in the most difficult circumstances.

I pay tribute to all the workers in our national health service who saved lives and treated the injured, and to all the services that were involved in the investigation and treatment of Sergei and Yulia Skripal—including Detective Sergeant Nick Bailey, who was rightly lauded by Members in all parts of the House during the debate. I also pay tribute to the work of our security services. We should think about what has not happened: since the terrible murder of Fusilier Lee Rigby in May 2013, 25 terrorist attacks have been foiled and numerous lives have been saved.

It is in the context of those events that the Bill is to be judged. We all want effective legislation in that context. Such legislation must always keep pace with technology and the times in which we live, and we support the Government in those aims. We also, of course, want to put public safety at the centre of policy in this area, and to make it as effective as possible. Aspects of the Bill build on the recommendations of the previous independent reviewer of counter-terrorism legislation, David Anderson QC. My right hon. Friend the Member for North Durham (Mr Jones) rightly highlighted the work that David Anderson has done in this area over a number of years.

We are anxious for the wider impact of terrorist incidents on surrounding communities and businesses to be taken into account, and clause 19 is welcome in that it seeks to widen the scope of losses covered. Business interruption costs are not currently covered when there is no physical damage to the commercial premises, although we know that such interruption occurs. I pay tribute to my hon. Friend the Member for Bermondsey and Old Southwark (Neil Coyle) for the work that he has done in that regard. We will press the Government in Committee on whether they will cover losses that have been suffered by businesses in connection with the incidents of the past 15 months, and not simply losses that will be suffered in future incidents. Will they compensate businesses that have lost out in the past when they should not have done so as a consequence of the current loophole?

We intend to table substantial amendments to the Bill in Committee. The Minister has indicated a willingness to be constructive, and I take him at his word. I hope that he will consider all our amendments in the constructive spirit in which they are intended. We will continue to make the case for proper resourcing, an issue that was raised by my hon. Friend the Member for Barrow and Furness (John Woodcock). I myself have asked the Minister about it on a number of occasions. We will continue to hold the Government to account for their funding of our police and other emergency services, and our security services, and, indeed, for how much we pay the workers who do so much for our society.

The first three clauses seek to update terrorism offences on expressions of support for a proscribed organisation, publication of images, and obtaining or viewing material on the internet—the so-called digital fixes. We agree of course that the law should be updated and keep pace with the times, but those clauses will need work in Committee. Max Hill QC, the independent reviewer of terror legislation, has said in recent days that "the tweaks to existing offences range from pragmatic to problematic."

Of course, with any change in the law, we have to ensure that there is wide public consent. The independent reviewer of terror legislation said last October:

"While we can all agree that there should be nowhere for real terrorists to hide, we should also agree that legislating in the name of terrorism when the targeted activity is not actually terrorism would be quite wrong."

That is why the legal frameworks we set in this House must be forensically considered, seeking to protect our daily lives and our values of freedom and respect. It is vital that we guard in our criminal law against any unwelcome consequences.

We will therefore be scrutinising the Government carefully on what they mean by "reckless" in the context of an expression of support for a proscribed organisation. On the photographs provision, we will want the Government to distinguish genuine threat from immature behaviour or other motives. On the streaming of material as well as downloading, I agree that the law needs to be updated in that respect, but we need to be clear about what "streaming" means. At present it is specified in the Bill as three views, but, as a number of contributions to the debate from across the House have suggested, that will need to be carefully considered. Journalists and assiduous researchers accessing material for legitimate purposes—and indeed the Chair of the Home Affairs Committee—should not be criminalised, so we will be looking at the position of the Government with regard to the "reasonable excuse" defence.

On the additional sentences in the Bill, the Sentencing Council published its guidelines for terrorism offences on 28 March, but those were based on the current maximum sentences. I would be grateful for reassurance from the Minister that the Government will work with the Sentencing Council on the new proposed maximum sentences.

The release of terrorist offenders who are subject to extended sentences will be a decision for the Parole Board. There were concerns in a different criminal context with regard to the Warboys case, but I sincerely hope that the Government will be able to give reassurances that shortcomings have now been satisfactorily resolved and that there can be wide confidence in the Parole Board as it carries out such an important task.

On data retention, we will of course look carefully at the Government's justification as to why the collection of data from people who are arrested but not charged is necessary and proportionate, and what mechanisms are in place for wholly innocent people who wish to have their data removed.

A number of Members mentioned the extension of the Prevent programme, and clause 18 gives local authorities the power to refer to Channel panels as part of that strategy. Labour's policy is for there to be a review of Prevent, and we will of course consider carefully the capacity of local authorities in this regard in their current funding settlements. Indeed, at Home Office questions only last week, I raised with the Minister my concerns about local authorities being given additional duties in respect of data without appropriate data security and training and the resources required.

It is entirely reasonable for the Government to be looking at border security. Clause 20 activates schedule 3, which includes the power to stop, question and detain.
That is a very broad power. Paragraph 1(4) of schedule 3 states that somebody can be stopped, questioned and detained

“whether or not there are grounds for suspecting that a person is or has been engaged in hostile activity.”

In his opening remarks, the Home Secretary made it clear that there should be robust safeguards in circumstances such as these, and I absolutely agree with him. At the moment, the Bill provides for oversight by the Investigatory Powers Commissioner, but I suggest that working with the independent reviewer of counter-terrorism—who is at the moment the reviewer of schedule 7 to the Terrorism Act 2000—is going to be crucial. That relationship will need to be spelled out as the Bill proceeds.

Stephen Doughty: We obviously understand the need to detain individuals in certain circumstances, particularly at airports when they are potentially posing a risk. Does my hon. Friend agree that, if we are to exercise these powers sensitively, it is crucial to have regard to compensation for those who have been stopped and subsequently found not to be guilty of any offence—for example, if they have missed their flight or had property taken off them?

Nick Thomas-Symonds: I very much agree with my hon. Friend on that point. How we draw the law precisely in this area is very important. The powers will need to be backed up by appropriate safeguards and protections for those who are wholly innocent of any offence.

On the question of border security, the Bill as it stands means that a person who is detained for less than an hour will not have the right to access a solicitor, and that someone detained for more than an hour will be able to access a lawyer, but they could be required to do that within the sight and hearing of an officer. That will clearly have consequences for our cherished and valuable principle of legal professional privilege, under which people have the right to consult a lawyer and to do so in private. This is something that we will want to consider further in Committee, and I very much hope that the Government will listen to the points that have been made about the need for appropriate safeguards.

I hope that the considered nature of this debate will continue into the Committee stage. I look forward to working with colleagues on both sides of the House to scrutinise and, hopefully, improve this legislation in such a crucial policy area.

9.11 pm

The Minister for Security and Economic Crime (Mr Ben Wallace): This has been a good debate, and Members on both sides of the House have demonstrated a desire to take a collaborative approach to counter-terrorism legislation. I am heartened by that, and delighted that we can start the process in that spirit. Every point that I have heard today has been made with passion, consideration and genuine belief. I might not have agreed with some of the points, but I certainly recognise that this is not about posturing or anything other than trying to make an effective piece of legislation that will make us safer.

Over time, while we are doing this Bill, I intend to do as much as I can to work with Members on both sides of the House and to be as collaborative as possible. I shall work to see whether there are better ideas to improve the legislation, to ensure that we can deliver it in such a way as to enable the intelligence services, the police and local communities to feel safer than they do today.

On 22 March last year, many of us who were in the House heard shots being fired outside and heard about the horrendous events on Westminster Bridge. I was about to come into the Chamber when I heard a police officer say, “Shots fired.” We lost our friend PC Keith Palmer that day. He did his very best to defend us from a man intent on killing indiscriminately and spreading terror. On 22 May last year, in this job as Security Minister, I remember being woken just after 11.30 pm by a phone call from my office telling me of the dreadful news that a bomb had been detonated at the Manchester Arena and killed a significant number of people. Manchester is my local city, and my own daughter had been at the Arena only the week before. Those events brought home to us the vulnerability that we face.

Every one of us in the House, while not directly affected by terrorism, will have fought the general election feeling—perhaps for the first time and perhaps because of social media—the level of hate and bile that is directed at us all. I think that that made us feel a little uneasy about the society that we are in, and about what lies at the extremes behind that hate. Some of my friends on the Opposition Benches are right now under threat from the extreme right, and we remember our dear fallen colleague. Also, a good friend in my part of the world has been under real threat from some particularly nasty people. I think that we have to reflect on these issues.

There is often pressure after such attacks to have new legislation—something must be done—and I am proud that this Government did not rush to legislation. We set up several significant reviews that were consolidated into four main reviews. The operational review produced a classified report of some 1,300 pages that went into every single decision, piece of intelligence and bit of work that went on in the lead-up to some of the attacks. I read all 1,300 pages not just because I am incredibly interested and because it is my duty, but because only then could I learn what legislation will put right, what is reasonable to be asked by our security services and police and what should not necessarily need to be placed on the statute book.

We also had the Home Office’s counter-terrorism legislative review, and we reviewed Contest, pausing its relaunch to see whether anything needed to be handled. Several of those reviews were “oversighted” by David Anderson, the former independent reviewer of terrorism legislation, or Max Hill, the current reviewer, who reviewed how police used their powers in the aftermath. That gentle but solid consideration is why we are here today with legislation that hopefully helps to answer some of the challenges we face.

When the terrorists unleashed attacks on us in 2017, that demonstrated clearly not only the empowerment that they now have through social media and encrypted communication, but how they had adapted to our statute book to find new vulnerabilities. They have shifted their ambitions to find where we are not as protected as perhaps we should be, and they have exploited that. Good terrorists do that. Terrorists are all about our soft underbelly and our vulnerability. If they cannot get an AK-47, they get a truck. If they cannot get a truck, they get a knife. That is part of what they do, and if they
The shadow Home Secretary offered some positive support for the Bill in principle, which I welcome, but she highlighted some of her concerns, which I may be able to answer. In clause 1, there was a worry about reckless encouragement, but it is our challenge to deal with people who go out to inspire others. It is no coincidence that al-Qaeda’s online publication, which contains sections such as “Just Terror Tactics”, is called “Inspire” because inspiration is one of the challenges we face. There are some very charismatic people in our communities, some of whom are currently in prison but are due to be released, who have used their presence and their inspiration to recruit without actually murdering the words, “And I want you to join Daesh, and I want you to go and fight in Syria.” That has been part of the challenge, and some of them—one individual, in particular, has been responsible for hundreds of people being drawn into extremism—have used it so well for so long, which is why we have sought to plug the gap in the space of inspiration.

I agree with a number of colleagues on both sides of the House on the substance of Prevent. Whenever I hear people criticise Prevent and I ask, “Okay, what would you do?” they just describe Prevent, and they come back to the bit about the Prevent brand being tainted. Fine, the brand is safeguarding; I will sell safeguarding all day long. We call it Prevent, but it is about safeguarding people from being exploited.

The shadow Home Secretary is worried about whether local authorities have the expertise. They do not have expertise in counter-terrorism, but, by golly, they have expertise in safeguarding vulnerable people and children. We should put Prevent referrals in perspective. There are 9,000 Prevent referrals a year, of which half are of people aged up to young adolescence. There are 621,000 referrals a year to safeguard people from domestic abuse, sexual abuse and grooming. Let us put this in perspective. Prevent is not a Big Brother spying operation.

The end result has been that, in two years, more than 500 people about whom we had serious concerns they were on the path towards, or were about to engage in, violent extremism are now deemed no longer to be a threat. That is 500 people—it takes one man to drive a van across Westminster bridge—and, in my book, that is a success.

Yes, there are people who are worried about the branding of Prevent, about which I have two things to say. First, when I raise the extreme right or the neo-Nazis, people say, “Prevent is quite a good thing for them.” Secondly, when I look people in the eye whose families have been prevented from going to Syria, they do not argue with Prevent; they say that Prevent works. One of the reasons we publish the figures is that they put it in perspective and show that there are successes. It is not 100%, but 30% of the people it picks up need other types of safeguarding.

Often the people who attack Prevent the most are the ones who do not want Prevent to work because they are the flipside of the recruiters of extremism in this country. We should not forget that some people want the narrative to be, “Don’t trust the state. We don’t like the state, and we don’t want the state. Our way is the best way.” They peddle this myth that a child was reported to have said, “My uncle lives in a terrorist household”—we have all heard that one trotted out by the anti-Prevent lobby. What the child actually said was, “I live in a terraced house, and my uncle beats me.” It never was a Prevent referral; it was a referral because the child was being abused. The same people will peddle that myth until the cows come home.

Our ambition is to broaden Prevent, to get the local community engaged and to get local authorities alongside the police on referrals. One of the criticisms of Prevent is that it is too police-focused. Local authorities may understand some of the nuances in their community to determine whether a person is really being radicalised. If the local authority says, “We think they are being radicalised,” why should it not be allowed directly to refer that person to Channel? I think that is a good thing. It is not a step backwards; it is listening to some of those criticisms about Prevent.

My right hon. Friend the Member for South Holland and The Deepings (Mr Hayes) is right to talk about keeping people safe. This is about safeguarding. On whether we have too much legislation or legislation enough, there are two things to say. Britain is a world leader in counter-terrorism. All our legislation has got us to a point where most countries come to ask us how to do it. Most countries around the world are envious of what we have.

Also, unlike other countries, we have probably the most oversighted intelligence services, security services, police and law enforcement in the world. A number of the measures in the Bill were recommended by the independent reviewers. The hostile activity port stop power has been included because the independent reviewer identified two occasions on which our police were abusing the counter-terrorism power to stop people we thought were from hostile states and recommended a separate power. The Biometrics Commissioner was the one who recommended the changes to the biometrics. So the Government have listened to some of these independent reviewers and thought, “That is a good thing to do.”

May I say to the hon. Member for Paisley and Renfrewshire North (Gavin Newlands) that I welcome the Scottish National party’s support in principle for the Bill? Of course I will continue to work with him and the Scottish Government. I first entered the Scottish
Parliament at the same time as his Justice Minister. I had a phone call with him last night. If he feels at any stage that they are not getting the engagement, he should not hesitate to get in touch and I will make sure that it is done. It is increasingly important that Contest and our counter-terrorism legislation reach all the fingertips of the United Kingdom. I note that when National Action was proscribed, something called Scottish Dawn popped up quickly—it is now proscribed, too. It is important that we do not muddy the waters where we all agree to agree.

On the issue about recklessness, part of this is about how we deal with those who are targeting people without caring whether they understand or not—I refer to the issue of vulnerability. In March, Umar Haque was convicted of trying to radicalise hundreds of children at school. He got them to swear allegiance to ISIL. He got them to re-enact the Westminster Bridge attack in their classroom and he showed them footage of people being beheaded. He said to those children, “If you tell your parents, you will go to prison.” Those people were vulnerable—they were children—and we have to find a way to make sure we close the gap in determining how much intent has to be involved and how much the receiver of that information has to know what they are getting.

My hon. Friend the Member for Cheltenham (Alex Chalk)—my learned friend—gave an excellent example about recklessness when he talked about a baseball bat. What we are dealing with here is not that different—I may disagree here with the right hon. Member. Member for Kingston and Surbiton (Sir Edward Davey)—and the law has established on a number of occasions where recklessness comes in. My notes tell me to cite R v G and another from 2003, and I think my hon. Friend is the only person who would understand what case that refers to. It was not an enlightening note, but it shows that this has been done.

Points have been made about hostile activity stops on the border. One way we temper the no suspicion issue is by the fact that whatever oral statements are made then cannot be used in court as evidence. That is an important way to try to balance this, but there is the issue about suspicion to address. If I were an agent of a foreign country, I would be trained. I would know the law of the country I am coming into, so I would give my word that I understand the only person who would understand what case that refers to. It was not an enlightening note, but it shows that this has been done.

I hear what he says, and I also want to pay tribute to his Economic Secretary to discuss the issue he raised further. I hear what he says, and I also want to pay tribute to his colleague the hon. Member for Manchester Central (Lucy Powell), as she has talked a lot about loss of business around the Manchester Arena. It is right to raise this. I am also glad he has called out Aviva. It is important for us to remember—this is the same for our constituents going on a summer holiday—that slowly but surely over the past 10 years travel insurance firms have dropped terrorism from their coverage, yet the odds of being a victim of terrorism are still absolutely tiny. So I have asked to see what we can do with insurance companies more widely to ensure that, although people are at only a tiny, tiny risk of being a victim, this is not just casually dropped out of people’s schedules.

My hon. Friend the Member for Henley (John Howell) referenced Hezbollah. Of course we always keep proscription under review. I hear what he says about it and I understand the hurt people feel here when they see others flying flags of Hezbollah on the streets—for example, on al-Quds day. He also talked about the Council of Europe. It is absolutely the case, on the border point, that we need to engage those partnerships post Brexit. We need to make sure that we continue with all the tools that we use at the moment. The United Kingdom Government’s position is unconditional on that. That is what we would like to engage with. The question is for the European Commission—whether it would like to have that.

Security is not a competition. Trade might be, but security is not. I think that is something they understand in Europe, going by my private conversations, and I hope that, by the time we get to Brexit, we will see it in place, because that partnership, both domestically and internationally, is why we are so successful in counter-terrorism.

I can already give the hon. Member for Belfast East (Gavin Robinson) some good news from the Dispatch Box: there is no 20-year bar on glorification of terrorism offences, nor will there be. In that sense, hopefully, he will be able to progress and go forward.

The hon. Member for Barrow and Furness is right that we have to find ways to explore the foreign fighter challenge. That is not just us—it is the French and the Germans, too—where we might have intelligence that someone is out there engaging, but it is hard to get the evidence. During the passage of the Bill, we are going to explore new measures or other measures on which I am happy to work together that I hope will do that for us.

We have also extended extraterritorial jurisdiction, because it is ridiculous that someone can sit in Syria and try to recruit people from the United Kingdom and somehow not be prosecuted correctly.

Mr Speaker: Order. Forgive me. Am I right in thinking that the Minister of State is approaching a peroration as eloquent as Demosthenes but markedly briefer?
Mr Wallace: The usual channels have taken over. I have lost the first battle.

In summing up, I apologise to the other Members who contributed so eloquently to the debate. I would, of course, be happy to meet them outside the usual channels. I should say very clearly that we owe a great duty to our intelligence services and police in thanking them for all the hard work that they do. We will progress with this legislation. I will work as much as possible in partnership with Members from all parts of the House to get a deal and a Bill that works to keep us safe.

Mr Speaker: The Chair was merely making an inquiry, and there was a question mark at the end of it, but I get the impression that the peroration was not altogether unwelcome to the House. We are very grateful to the Minister of State.

Question put and agreed to.

Bill accordingly read a Second time.

COUNTER-TERRORISM AND BORDER SECURITY BILL (PROGRAMME)

Motion made, and Question put forthwith (Standing Order No. 83A(7)),

That the following provisions shall apply to the Counter-Terrorism and Border Security Bill:

Committal

(1) The Bill shall be committed to a Public Bill Committee.

Proceedings in Public Bill Committee

(2) Proceedings in the Public Bill Committee shall (so far as not previously concluded) be brought to a conclusion on Tuesday 17 July.

(3) The Public Bill Committee shall have leave to sit twice on the first day on which it meets.

Proceedings on Consideration and up to and including Third Reading

(4) Proceedings on Consideration and any proceedings in legislative grand committee shall (so far as not previously concluded) be brought to a conclusion one hour before the moment of interruption on the day on which those proceedings are commenced.

(5) Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on that day.

(6) Standing Order No. 83B (Programming committees) shall not apply to proceedings on Consideration and up to and including Third Reading.

Other proceedings

(7) Any other proceedings on the Bill may be programmed.—(Paul Maynard.)

Question agreed to.

COUNTER-TERRORISM AND BORDER SECURITY BILL (MONEY)

Queen’s recommendation signified.

Motion made, and Question put forthwith (Standing Order No. 52(1)(a)),

That, for the purposes of any Act resulting from the Counter-Terrorism and Border Security Bill, it is expedient to authorise the payment out of money provided by Parliament of any amounts payable by the Treasury in respect of obligations incurred, under any agreement of reinsurance or guarantee, as a result of the amendments made by the Act to the Reinsurance (Acts of Terrorism) Act 1993.—(Paul Maynard.)

Question agreed to.

COUNTER-TERRORISM AND BORDER SECURITY BILL (WAYS AND MEANS)

Motion made, and Question put forthwith (Standing Order No. 52(1)(a)),

That, for the purposes of any Act resulting from the Counter-Terrorism and Border Security Bill, it is expedient to authorise the charging of fees, under amendments made by the Act to the Road Traffic Regulation Act 1984, in connection with traffic regulation orders or notices made or issued for the purpose of protecting events or sites from risks associated with terrorism.—(Paul Maynard.)

Question agreed to.

WOMEN AND EQUALITIES COMMITTEE

Ordered,

That Teresa Pearce be discharged from the Women and Equalities Committee and Tulip Siddiq be added.—(Bill Wiggin, on behalf of the Selection Committee.)
In 2014, the Government announced that the Cornish would be classified under the Council of Europe’s Advisory Committee on the Framework Convention for the Protection of National Minorities—a body that I have been honoured to be appointed to recently by the Prime Minister.

Jim Shannon (Strangford) (DUP): I congratulate the hon. Gentleman on bringing this matter forward and remind him that we all love our cultures, which, mixed together, represent the best of British. I certainly appreciate the richness of the Cornish culture. Does he agree that there is also something special about the Ulster Scots heritage, of which I am a part? It is these different branches that come from our Britishness that mean that we can all take pride in being Ulster Scots, Welsh or Cornish, and uniquely British.

Steve Double: I am very grateful to the hon. Gentleman for his intervention. I completely agree with him. One of the beauties of our islands is that we can celebrate both our diversity and the thing that unites us, which is our love for our nation, the United Kingdom, and being British. Like my Celtic cousin, I say that we Celtic fringe nations can bring a true sense of diversity and variety that enrich our British culture.

Ben Lake: I congratulate the hon. Gentleman on securing this important debate. For what it is worth, he can count on the support of Plaid Cymru—his cousins across St George’s channel—in getting this tick box for the Cornish identity. Does he agree that doing so is of not just symbolic, but practical, importance? It is symbolic in that the census would then acknowledge the Cornish nation, just as it does the other Celtic nations of the UK. It would also be of practical importance in allowing the UK Government better to prepare for issues such as the Cornish language.

Steve Double: I am grateful for the hon. Gentleman’s intervention and appreciate his support for my case. He makes the good point, which I will develop in just a moment, that this is not just a matter of Cornish identity and pride; it has a practical application to ensure that the Government can obtain accurate data across St George’s channel—in getting this tick box for the Cornish identity. Does he agree that doing so is of not just symbolic, but practical, importance? It is symbolic in that the census would then acknowledge the Cornish nation, just as it does the other Celtic nations of the UK. It would also be of practical importance in allowing the UK Government better to prepare for issues such as the Cornish language.

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was now officially recognised and declared by the Government. However, we stand here today—more than four years later—and wonder what all the fuss was about. We ask ourselves, what did this mean?

It is worth noting at this point that the Government have in many ways been very supportive of Cornwall in recent times. We are seeing record levels of investment in our transport infrastructure, and Cornwall remains the only rural county to have been given a devolution deal by the Government. However, when it comes to the specific matter of recognition of the Cornish as a people, there is still a great deal to do. Sadly, despite the recognition afforded by the European framework convention and embraced in words by the UK Government, the Government have been criticised by the Council of Europe for not doing enough to address the cultural needs of communities in Cornwall. There have been warm words but little action.

The Council of Europe’s Advisory Committee on the Framework Convention for the Protection of National Minorities visited the United Kingdom in March 2016 to assess how the UK Government and other public bodies were complying with the articles of the convention. It published an opinion document in early 2017 that was very critical of the UK Government and their failure to act on the articles of the convention. One of the key proposals in the report to address this shortcoming was the inclusion in the 2021 census of a Cornish tick box for national identity.

The purpose of the census is clear and in many ways simple; it is designed to give an accurate picture of the demographic and social changes within the UK. I celebrate with the Scottish who were identified on the census form in the 2001 census, along with the English and the Northern Irish, of course. The process was, however, flawed because there was no provision for the Welsh. The matter was corrected for Wales in 2011, when 66% of people in Wales chose to identify as Welsh. Imagine the outrage today if the Scottish or Welsh were omitted from the next census. As I highlighted earlier, the Government’s statement in 2014 said that the Cornish would now be afforded the same recognition as our Celtic cousins, yet on this simplest and most basic of things—the ability for people to declare themselves as Cornish in the census—the Government are falling short.

Scott Mann (North Cornwall) (Con): I am sitting not a million miles away from the Under-Secretary of State for Exiting the European Union, my hon. Friend the Member for Wycombe (Mr Baker), who is an exiled Cornishman. There are many people outside Cornwall who have moved away, but who were born in Cornwall and would probably like to be able to tick the box on the census. Has my hon. Friend the Member for St Austell and Newquay (Steve Double) considered that?

Steve Double: I am grateful to my Cornish colleague for that intervention and for pointing out the hon. Member for Wycombe, who in fact attended the same school as me in Cornwall, so we have a great deal in common. He makes a very good point. This is not just about people currently living in Cornwall; it is about the right and opportunity for people across the country who count themselves Cornish—maybe by birth; maybe by ancestry—to identify themselves as Cornish.

The point has been made that there is the option under “Other” in the census to write “Cornish” as one’s nationality. In fact, in 2011 a staggering 73,000 Cornish men and women chose to do so. I should declare an interest in saying that I was one of those 73,000 people. An interesting comparison is worth noting. Those 73,000 people represent about 14% of the residents of Cornwall. That is the same percentage of Welsh residents who wrote “Welsh” under the “Other” option in the 2001 census. In 2001, the inclusion of a specific tick box for “Welsh” increased the percentage of people identifying as Welsh from 14% to 66%. I am convinced that if a tick box was provided, we would see a similar increase in the percentage of people choosing Cornish as their identity. A dropdown menu provision for “Other” is not good enough.

Recognition by way of a tick box will not only satisfy those of us in the far west but enhance the accuracy of the census by allowing the many thousands of Cornish men and women from across the UK—the Cornish diaspora—to know that they can declare their Cornish identity. Gleaning accurate data is surely what the census is all about. We need to know how each nationality within the UK is faring: it is a crucial part of the exercise. We need the census to throw up the relevant and accurate data that can shape future policy for every group identified within the UK.

This issue is not just about the current generation—it is about our future and the protection and nurturing of our unique Cornish identity, culture and heritage. As I highlighted, over 73,000 people registered as Cornish in 2011. Thousands more would have done so if the option had been as straightforward as it is for the other nationalities. What is so telling is that among the young people of Cornwall—our schoolchildren—a clear and rapidly growing number now identify themselves as Cornish. Any argument that there is no demand to identify as Cornish, or that it is a fad of a bygone era, is erroneous. Our young people are proud to be Cornish and deserve the right to be able to say so in future. In fact, there is a growing movement within Cornwall to celebrate our unique identity and culture that is the strongest it has been for many, many years.

I understand the concerns of the Office for National Statistics—and I suspect the Government also—that if it allows a tick box for the Cornish in the next census, it will be overwhelmed with hundreds of other groups calling for their identity to be formally recognised in this way. I appreciate that this is a genuine concern. However, there is a very simple answer. The Cornish are the only nationality recognised by the Government under the framework convention who do not have the option of a tick box in the census—who are not recognised in this way. No other group can make that claim. In that regard, the case for the Cornish is unique. No one else can make the case for inclusion in the way that the Cornish can.

I am very grateful to be backed in this call by all six of Cornwall’s MPs, by Cornwall Council, and by a whole raft of organisations from across Cornwall. I am calling on the Government to back our campaign for a Cornish tick box in the 2021 census and thereby take an important step towards fulfilling their responsibilities under the framework convention. In finishing, there is one simple thing left to be said: Kernow bys vyken—Cornwall forever.
9.49 pm

The Parliamentary Secretary, Cabinet Office (Chloe Smith): I sincerely thank my hon. Friend the Member for St Austell and Newquay (Steve Double) for securing this debate on Cornish national identity and the 2021 census. I am tempted to argue for a special Norfolk identity, but I will restrain myself, even though we have half an hour extra on the clock.

I make my comments in the sure knowledge that my hon. Friend is a proud Cornishman and a strong campaigner for Cornwall and recognition of the Cornish identity. I thank him, his colleagues and those behind the campaign for the work they have done to bring this issue to the House, as well as the other hon. Members who made brief contributions this evening. I also congratulate my hon. Friend on his appointment to the Parliamentary Assembly of the Council of Europe, where I know he will make strong arguments.

I would like to start by discussing why the census is important and what we do with the data, which is the practicality that I think we all want to get to. The data collected by the census underpins decisions both locally and nationally. The earliest census that could be described as such in this country was the Domesday Book, which was to catalogue assets for taxation; I am sure that that is not what my hon. Friend is looking for. The first official census in 1801 was conducted to monitor population growth and resources. In modern times, the data that the census provides underpins planning and funding for the provision of key services used by everybody, such as education and healthcare. The data allows us to identify and address unfairness and inequality in society, with particular regard to the protected characteristics set out in the Equality Act 2010. The census also provides detailed data on small groups at a very local level in a way that other sources do not, so I understand the importance of this opportunity to capture better data on the Cornish identity.

Responsibility for delivery of the census in England and Wales sits with the independent Office for National Statistics. Since the last census in 2011, the ONS has been thoroughly preparing for the 2021 census, to ensure that it is fit for purpose, reflects the modern digital society in which we live and ultimately provides the evidence needed for Government and others to identify any areas of inequality in our society and act on them. The ONS is now completing its programme of research, consultation and analysis on the census, and its recommendations will inform the Government’s census White Paper later this year.

I should stress that it is important that the ONS is given the time to get its recommendations right. It would not be appropriate for me or the Government to pre-empt its findings, but I know from meeting the ONS that it has listened broadly to stakeholders’ views on the topics and questions for the 2021 census. It carried out a topic consultation in 2015, with the response published in 2016, and it has undertaken a programme of research and engagement with communities on a range of issues that need further consideration.

On the need for a Cornish tick box in the next census, the ONS is working to ensure that those who identify as Cornish can and will do so in the 2021 census through a tick box or another means. It has committed to work with Cornwall Council to improve the available analysis on the Cornish population from the 2021 census, building on feedback on what was provided in 2011. I know that the ONS has spoken with Cornwall Council and Cornish Members, and continues to consider the evidence provided. I know that it will also engage with Cornish community groups and the council to tailor census communications and operations to the Cornish, to increase the response rate of self-identification. That is another point of practicality that I think we are all keen to see.

The consultative approach that the ONS has taken, and the fact that it continues to meet interested parties to reach a common view on the information that should be captured, is welcome. I understand from a recent meeting between the ONS and the council that there is a clear agreement that Cornwall needs better data on the Cornish population. I also know that the ONS is still deciding on, and open to arguments about, the best way to meet that need. It is excellent and timely for us to have this debate tonight, because it allows Cornish Members to bring forward their constituents’ arguments, which they have done eloquently, and for those arguments to be considered by the ONS before such decisions are finalised.

Let me acknowledge the important and proud history and unique culture of Cornwall, alongside its distinctive language; I will not try to respond to the saying that my hon. Friend mentioned. That is of course fully recognised under the framework convention for the protection of national minorities, and in 2014 the Government recognised the unique identity of the Cornish, which acknowledged the importance to people in Cornwall of their proud history, culture and heritage. Since then, the Government have supported the work of Cornwall Council and its partners in encouraging the further development of Cornish culture and heritage, including with support for the Cornish language and funding for Cornwall Council in recent years.

Jim Shannon: We are not all from Cornwall, obviously, but those of us who are—not I am from Northern Ireland, from an Ulster Scots tradition, and my colleague from Wales, the hon. Member for Ceredigion (Ben Lake), is from a Welsh tradition—support recognising Cornish culture, language, history and traditions. There is support for the very same thing from other nations within the great big United Kingdom of Great Britain and Northern Ireland.

Chloe Smith: I thank the hon. Gentleman for putting that on the record. I know from my meetings with him how proudly he, too, speaks up for his own culture and what it means for his community, and I respect that.

Let me turn to what we need to be able to do with census data. The crucial point is that we need to be able to understand the Cornish population, their circumstances and any issues specific to them. My hon. Friend the Member for St Austell and Newquay has argued that the Cornish are uniquely disadvantaged because, as he puts it, they are the only ethnic minority in the UK protected under the framework convention who do not have a tick box in the census. Let me try to set out why this is not a case of disadvantage, and how we may be able to achieve the same goals through a choice of means.
We want to ensure that all minorities are effectively represented in the 2021 census. For that reason—this is a very important point—the 2021 census will for the first time have a predominantly online census. It will be the first time that that has occurred, and it will provide the opportunity for all respondents to express their right to self-identify either through a tick box or a write-in option. I hear my hon. Friend’s arguments about how a write-in option is not suitable, but let me try to put some of the points that the ONS feels are important and explain why we think the census will provide the data for which we are all looking as a common goal.

Historically, there has always been pressure to include more questions and response options in the census than can be accommodated without putting an unacceptable burden on members of the public in completing the form. This census is no exception, but because it will be primarily online, it will be quicker and easier for all respondents to identify themselves using free text. That will help us to produce richer and higher-quality analysis about communities without the need to include more and more tick boxes.

I understand the argument that a tick box has been seen as essential in getting to questions of cultural identity, such as ethnicity, national identity and language. However, the innovation of an online questionnaire means that we can add a drop-down box with a “search as you type” option. For example, if one of my hon. Friend’s constituents began to type the letter C, it would immediately offer “Cornish” as an option to choose. Along with local campaigns and community engagement, that will aid our ability to raise awareness of the option. With such techniques, it will be possible for respondents to identify themselves more quickly and easily, and they will have every encouragement and opportunity to do so. The ONS will offer comprehensive guidance to support self-identification, whether through a tick box or a “search as you type” function. Those are two ways to meet the same goal. I just wanted to set out for my hon. Friends the alternatives that are under consideration.

10 pm

Motion lapsed (Standing Order No. 9(3)).

Motion made, and Question proposed. That this House do now adjourn.—[Paul Maynard.]  

Chloe Smith: I take that point. The ONS is listening carefully to this debate, which is timely because it gives us a further opportunity to hear and take into account the views of Cornwall hon. Members and the constituents for whom they speak so well tonight.

As I say, the ONS will consider all the evidence to decide how best to gather the data. We are here in a common goal—to try to get to the root of any inequalities or unfairness in society, for which we need quality data. We generally expect better data now, and an online census will bring other benefits. If I may illustrate why I say that we will have a much greater online service this year than 10 years ago, in 2011, 17% of census returns were made online. In 2021, we will look to achieve a 75% online return rate. It should be easier and quicker for individuals, and is much more cost-effective than completion and return of a paper form. I hope that it will also serve to encourage more completion among my hon. Friends’ constituents. The ONS will provide detailed assistance to the public to encourage online completion, including a dedicated census contact centre, engagement with community groups, and work by census field staff on the doorstep.

Most importantly for Cornish national identity, the 2021 census will for the first time offer a bespoke analytical product to the Cornish. That really will be a step towards our shared goal of better data about the community, gathered in ways that may be new to those who have made this argument over the years. The core goal is to get the data and put it to use—the practicality that the hon. Member for Ceredigion (Ben Lake) mentioned. That is what will, I hope, allow us to improve the measurement of the socioeconomic conditions and the educational, health and housing outcomes of those who have identified as Cornish and native Cornish speakers. As I outlined, that will be hugely supported by ongoing engagement to ensure that the analysis is helpful to the specific needs of Cornwall Council and that it offers a genuine improvement in our understanding of what it means to be Cornish. That will be provided regardless of whether there is a tick-box solution or a write-in and “search as you type” solution.

I pay tribute again to my hon. Friend the Member for St Austell and Newquay for his campaigning ability in raising this matter. My hon. Friends, this team of six parliamentarians and local champions, have spoken for Cornwall loudly and clearly. They have come here tonight with a strong voice to express what it means to Cornwall for this data to come back from the census. I hope that in return I have been able to explain the position of the independent ONS, and to convey that the Government recognise and value Cornwall. I hope the 2021 census will allow the national identity to be fully expressed.

Question put and agreed to.

10.5 pm

House adjourned.
House of Commons

Tuesday 12 June 2018

The House met at half-past Eleven o’clock

PRAYERS

[Mr Speaker in the Chair]

Oral Answers to Questions

BUSINESS, ENERGY AND INDUSTRIAL STRATEGY

The Secretary of State was asked—

Economic Growth and Emissions

1. Julian Knight (Solihull) (Con): What steps he is taking to support economic growth while decreasing emissions. [905777]

8. Colin Clark (Gordon) (Con): What steps he is taking to support economic growth while decreasing emissions. [905786]

The Minister for Energy and Clean Growth (Claire Perry): My hon. Friends and the House will agree that we should be proud of the UK’s progress in cutting emissions while driving economic growth. Since 1990, we have reduced our greenhouse gas emissions by over 40% while growing the economy by over two thirds—the best performance per capita in the G7. And we will, as part of our modern industrial strategy, continue to exploit the opportunities for future growth across the UK through our clean growth grand challenge.

Julian Knight: As we rightly move towards eliminating the internal combustion engine in all new cars from 2040, does the Minister agree that, in the short to medium term, it is important to jobs and growth that we recognise the role of clean diesel engines such as those in the cars that roll off the production in my local car plant?

Claire Perry: My hon. Friend rightly champions the incredible employer in his constituency. He knows that we are right to move towards eliminating internal combustion engines from our roads, but we must do it in a managed way and ensure that we preserve those jobs and particularly the investment in clean diesel during the transition to zero-emission vehicles. I know that there have been announcements today of job losses in his constituency, which will be concerning. However, they are part of the manufacturing plan that has been announced.

Colin Clark: The oil and gas industry plays an active role in protecting the environment and reducing emissions. Does the Minister share my shock that the shadow Chancellor advised Cambridge University to divest itself of oil and gas investments when that industry supports 300,000 jobs in the UK? Does she agree that the industry is playing its part, and that 300,000 UK jobs are worth protecting despite the Opposition’s—

Mr Speaker: Order. I say very gently that the Minister will want to focus on the policy of the Government. Her view about the policy of the Opposition is neither here nor there. With experience, I know the hon. Gentleman will realise that those questions are disorderly.

Claire Perry: The Government’s policy is to support a sector that employs 300,000 people and contributes £21 billion to the UK economy. We recognise that the vital oil and gas industry has an integral role to play as we transition to a low-carbon economy, which is why we are investing in technologies such as carbon capture, usage and storage, and exploring how things such as our world-leading submersible technologies can work to support oil and gas.

Albert Owen (Ynys Môn) (Lab): The Minister will be aware of the potential of the marine energy sector in terms of both UK economic growth and reducing emissions. Will she assure me that projects such as Minesto and Morlais in my constituency will not be crowded out by the funding mechanism in place now, which favours offshore wind?

Claire Perry: The hon. Gentleman knows that we have set out £557 million to support all renewable technologies over the next few years. We want to make sure that we decarbonise at the right price for taxpayers and bill payers, which is one reason why the mechanism will continue.

Chris Elmore (Ogmore) (Lab): One way in which the Government could invest in economic growth while decreasing emissions would be to invest in the Swansea Bay tidal lagoon project. They have flip-flopped over the past 10 days, with leaks about when the announcement will or will not be made. May I press the Minister? Can she please tell us when she will deliver that major economic investment for Wales?

Claire Perry: Having grown up on one side of the Bristol channel and seen the second-highest tidal range in the world on an almost daily basis, I will take no lessons on the value of tidal and marine technology. As guardians of public money, it is absolutely right that we make investments that deliver the right decarbonisation and the right value for the taxpayer. The hon. Gentleman should not rely on leaks and assume that they are Government information. That announcement will come in due course and the House will be the first to know.

David T. C. Davies (Monmouth) (Con): Does my right hon. Friend agree that the recent announcement of support for Wylfa underpins the Government’s commitment not only to reducing emissions, but to economic growth, not least in Wales?

Claire Perry: My hon. Friend is right. I should clarify that we are entering commercial negotiations—a deal needs to be done—but we should make a virtue of the fact that we have one of the most diversified energy...
supplies in the world and one of the lowest-carbon energy supplies. We have also managed to get ourselves off coal, which other countries long to do.

Rebecca Long Bailey (Salford and Eccles) (Lab): The Government’s shambolic policy on the solar and onshore wind sectors in recent years has meant that significant economic growth and decarbonisation opportunities have been lost. For example, we have seen dramatic feed-in tariff subsidy cuts; business and VAT rate hikes; and obstruction to clean power auctions. Sadly, as we have heard today, there are reports that the Swansea Bay tidal lagoon, the world’s first tidal lagoon, which would create thousands of jobs and local supply chains and use 100,000 tonnes of majority British steel, is potentially on the Secretary of State’s hit list. Will the Minister buck that trend today and confirm when the decision will be made, and outline what support she will give to solar and onshore wind?

Claire Perry: I remain bemused by the hon. Lady’s ability to seize a disaster out of a triumph. We have delivered more renewable energy than we ever thought possible, at a price that is unimaginable—[Interruption.] I know the Opposition Front Benchers do not give a stuff about consumer bills, as they have made that totally obvious, but we care about decarbonisation at the right price for the consumer.

Rebecca Long Bailey: I think we touched a nerve there. The Minister is living in a parallel universe to me, because in the first quarter of 2018 the deployment of new solar slowed to its lowest level since 2010, and next year onshore wind installation is expected to be at its lowest level since before 2008. But it gets worse: last November, the industrial strategy was published, yet seven months on progress has been slow, with business becoming increasingly frustrated. The industrial strategy council has not yet been appointed, no strategy for reaching the research and development target has been published and dozens of sectors are waiting for responses to their sector deals. So does the Minister accept, as some key business leaders do, that perhaps her Government’s chaos over Brexit and the apparent inability even to concentrate on an industrial strategy are undermining British business and indeed our growth?

Claire Perry: The previous point still stands. We are incredibly proud of our industrial strategy, with its groundbreaking opportunities to link up government and businesses for the first time. I go back to the point on the hon. Lady’s questions about solar: the thing about offshore wind is that we lead—[Interruption.] Again, if they could all stop chuntering, Mr Speaker—God almighty. We lead the world in terms of the installed capacity, and we have created tens of thousands of jobs. I know the Opposition Front Benchers, as per the first question, do not give a stuff about jobs, let alone consumer bills, but the point is that—

Mr Speaker: Order. Minister, please resume your seat. I am most grateful to you, but I am afraid dilution is not in order today. We have a lot to get through and not much time in which to do so. We have to make progress. We need short questions and short answers.

Energy Generation and Consumption: Kettering

2. Mr Philip Hollobone (Kettering) (Con): What estimate he has made of the amount of electricity (a) generated and (b) consumed annually in the borough of Kettering.

Claire Perry: The last time I talked about dilution, I was in labour. However, in Kettering—

Mr Speaker: Order. What is required is a brief answer and a brief question—no dilution.

Claire Perry: In 2016, at least 150 GWh were generated in Kettering, mostly from renewables; this is enough generation to power 38,000 homes. In 2016, 405 GWh of electricity were consumed in the Kettering local authority area.

Mr Hollobone: It is great news that Kettering is one of the greenest boroughs in the country, but we do have a very large number of wind turbines in the borough. What are the Government doing to encourage offshore wind turbines, rather than onshore ones?

Claire Perry: We have maintained, and will continue to maintain, our manifesto commitment that says that no more large-scale onshore wind development is right in England. That should reassure my hon. Friend and his constituents.

Stephen Kerr (Stirling) (Con): The previous point still stands. We are incredibly proud of our industrial strategy, with its groundbreaking opportunities to link up government and businesses for the first time. I go back to the point on the hon. Lady’s questions about solar: the thing about offshore wind is that we lead—[Interruption.] Again, if they could all stop chuntering, Mr Speaker—God almighty. We lead the world in terms of the installed capacity, and we have created tens of thousands of jobs. I know the Opposition Front Benchers, as per the first question, do not give a stuff about jobs, let alone consumer bills, but the point is that—

Mr Speaker: Order. Minister, please resume your seat. I am most grateful to you, but I am afraid dilution is not in order today. We have a lot to get through and not much time in which to do so. We have to make progress. We need short questions and short answers.

Food and Drink Sector: South-west

3. Scott Mann (North Cornwall) (Con): What recent assessment he has made of trends in the level of business investment in the food and drink sector in the south-west.

The Secretary of State for Business, Energy and Industrial Strategy (Greg Clark): Food and drink grown and made in Cornwall is exported and enjoyed around the world. My hon. Friend, both as chairman of the all-party group on dairy and as North Cornwall’s MP, will welcome the £75 million investment by Dairy Crest in its Davidstow creamery, announced two weeks ago, to expand its cheese production by nearly 50%. We are working closely with the industry to ensure that companies continue to invest and grow, right across the UK.

Scott Mann: I am grateful to the Secretary of State for that answer, and I do welcome Dairy Crest’s recent announcement. The food and drink sector is flourishing right across the south-west, particularly in North Cornwall. We have some fantastic brands, including Tarquin’s Gin, Kernow Chocolate, Sharp’s brewery and Buttermilk fudge, to name but a few. Many of these small and medium-sized firms are looking to export for the first time. What discussions is his Department having with the Department for International Trade to expand some of these opportunities for those firms?
**Greg Clark:** We know that there is huge demand for these products. For example, one reason behind the expansion of the creamery is the increasing appetite in China for cheese produced in Cornwall. My hon. Friend mentioned Sharp’s brewery, and the investment in the facility at Rock now means that 340,000 pints of Doom Bar a day can be produced there. I hope some of those will leave these shores and be enjoyed around the world.

**Luke Pollard** (Plymouth, Sutton and Devonport) (Lab/Co-op): Controversially, Britain’s earliest pasty recipe comes from Plymouth rather than Cornwall. It dates from 1510 and was found in Plymouth borough’s accounts. Pasties are a key part of both Plymouth and Cornwall’s identity. What discussions has the Minister had to ensure that the name “Cornish pasties” is protected after we leave the EU, preventing anyone else around the world from forging pasties, whether Cornish or from Plymouth?

**Greg Clark:** Anyone who has enjoyed pasties in Cornwall or—dare I say?—Plymouth will attest to their unique qualities. We have products across the United Kingdom that are associated with the places where they are manufactured. It is an association of quality, and we will ensure that they continue to be protected as part of our negotiations.

**Automotive Industry**

4. **Colleen Fletcher** (Coventry North East) (Lab): What steps is he taking to support the automotive industry?

**The Secretary of State for Business, Energy and Industrial Strategy** (Greg Clark): The automotive sector is one of our great success stories, and our recently published automotive sector deal, as part of the industrial strategy, sets out how we will continue to support it in future. The partnership continues to deliver results. In April, Vauxhall announced an investment of over £100 million in its Luton plant to build the next generation of Vivaro vans. Last month, the Society of Motor Manufacturers and Traders, the sector body, reported that UK van production had increased by almost a fifth compared with last year.

**Colleen Fletcher:** Jaguar Land Rover is one of Coventry’s biggest employers. Recently, JLR revealed its intention to make Coventry the heart of its large-scale battery and electric vehicle production plans. This is welcome news for my city. With that in mind, what support can the Minister offer to Jaguar Land Rover to ensure that Coventry becomes the centre for large-scale battery and electric vehicle production?

**Greg Clark:** I am grateful for the hon. Lady’s question. My hon. Friend is right that the consequences have to be borne by the companies that cheated the system. We need to make the transition to ultra low emission vehicles to make sure that we lead the world in this area. Just a few weeks ago, Toyota announced a big investment in the future of mobility here in the UK, based on the commitments that we are making as part of our industrial strategy.

21. **Matt Western** (Warwick and Leamington) (Lab): Scappage schemes have been used in the past to assist businesses and industries in a transition. Has the Minister costed a support package to scrap old diesel vehicles and assist in a managed transition to renewable/alternative energy vehicles?

**Greg Clark:** The hon. Gentleman is right that we need to see a managed change. Earlier, my right hon. Friend the Minister for Energy and Clean Growth pointed out that the next generation of diesel can play a big part in not only reducing greenhouse gas emissions, but improving air quality. We will shortly be setting out our proposals on how we make the important transition to zero emissions across our vehicle fleet.

**Lucy Allan** (Telford) (Con): Hundreds of jobs in my constituency rely on the Jaguar Land Rover supply chain. Will the Secretary of State tell the House what he is doing to help car manufacturers to deal with the uncertainty of Brexit and the fall in demand for diesel vehicles?

**Greg Clark:** I will. My hon. Friend is right to comment on the supply chain. A big part of the automotive sector deal, which we concluded with the sector, is to boost the proportion of components that are sourced in the UK. This is a joint commitment that we make, as part of the industrial strategy, but she is also right to draw attention to the importance of our continued ability to trade with the rest of the European Union, free of tariffs and with low friction, so that we can maintain the just-in-time model, which is so crucial to our automotive sector.

**Sir Vince Cable** (Twickenham) (LD): Following the loss of the Discovery model to Slovakia, which was a decision at least partly influenced by Brexit, what steps is the Minister taking to head off the risk to Jaguar Land Rover’s exports to China where the rules of origin will conflict with the interests of the company in the event that we lose the customs union and we no longer have sufficient UK content in the cars?

**Greg Clark:** The right hon. Gentleman is wrong about the decision that was made. In fact, it is a decision to prepare Solihull for the next generation of the Range Rover and the Range Rover Sport. JLR described that as a huge investment and a technology upgrade in Solihull, so I hope he will welcome that. He knows that the importance of making sure that we are able to...
continue to trade—this includes recognising rules of origin not just with the European Union, but around the world—is vital for this company.

**Mark Pawsey** (Rugby) (Con): Many intending to purchase new cars are unsure what type of engine to opt for, partly as a consequence of Government taxation policies. That is having a serious effect on the British motor manufacturing industry. Will the Secretary of State confirm that there remains a future for clean diesel?

**Greg Clark:** I will indeed. We are not the only country that is seeing a fall in the sales of diesel. As I and my right hon. Friend the Minister of State have said, clean diesel and the new generations of diesel engines have a very important role to play in the transition to ultra low emission vehicles.

**Laura Pidcock** (North West Durham) (Lab): Contrary to what the Secretary of State has said, over the past six months nearly 2,000 job losses have been announced in the UK’s automotive sector. This week in the media we have seen speculation about thousands of further redundancies caused by a combination of factors, including worries about possible consequences of a no-deal Brexit and the absence of the customs union. May I press the Secretary of State to set out how the Government will work with business, industry bodies and trade unions to ensure security of the automotive industry and those employed in it both in the immediate future and beyond UK’s exit from the EU?

**Greg Clark:** We work very closely with the industry with great success. Engine production in this country was up over 17% last year, reaching 1 million engines. That is a record. Never in the history of the British motor industry were more engines produced than last year. Over the past year, the net number of jobs that are being created—not the word “created”—in the automotive sector in this country is 9,000. We have a very good record of working closely with the industry to support an industry that is not only very successful today, but will continue to flourish in the future.

**Energy Bills**

5. **Antoinette Sandbach** (Edisbury) (Con): What steps he is taking to support vulnerable consumers with their energy bills.

**Greg Clark:** My hon. Friend is absolutely right. One of the missions that the Prime Minister announced as part of our grand challenges in the industrial strategy is to reduce by 50% the energy consumption of homes built in the future. That has an important impact not only on our greenhouse gas emissions, but on the bills that people face.

**John Lamont:** With recent rises in fuel costs, many motorists in the Scottish borders feel like they have been taken for a ride. What steps are the Government taking to try to reduce the impact of higher taxation on fuel, and what analysis has the Department carried out on the allegations of rocket and feather pricing on petrol and diesel sales at the pump?

**Greg Clark:** I am grateful to my hon. Friend for the question. It is a very important market. Obviously, recent oil price rises have had an impact at the petrol pumps. It is important that prices are competitive and not, as he implies, subject to rising quickly and then taking a long time to decline. The Office of Fair Trading last looked at this in 2013, but I expect its successor, the Competition and Markets Authority, under Andrew Tyrie, a noted consumer champion, to keep this under close review.

**Rachel Reeves** (Leeds West) (Lab): Up to 200,000 customers do not benefit from the warm homes discount because they get their energy from smaller energy suppliers. Is it not time to extend the warm homes discount, especially since energy bills are going up and we are trying to crack down on rip-off tariffs?

**Greg Clark:** The hon. Lady, Chair of the Business, Energy and Industrial Strategy Committee, makes a very important point. We are reviewing whether the threshold for exclusion is appropriate; I know that she will welcome that.

**Dr Philippa Whitford** (Central Ayrshire) (SNP): Some 169 households in my constituency have been affected by the mis-selling of insulation and solar panels by HELMS. This company was accredited by the Government under the old green deal scheme, so what will the Government do to compensate these people—often vulnerable pensioners—and how will they prevent such mis-selling from happening under the new green deal scheme?

**Greg Clark:** As with any other supplier, consumer protection rights are in place and available. I would be very happy to meet the hon. Lady to discuss this particular case and see whether we can help.

**Stephen Kerr** (Stirling) (Con): Vulnerable customers can benefit from the use of smart meters. Will the Secretary of State update the House on how many SMETS 2 meters have now been installed and are connected to the Data Communications Company?

**Greg Clark:** I can tell my hon. Friend that 1,000 new SMETS 2 meters have already been installed. That is a significant milestone because it represents the beginning of the roll-out of the next generation of meters.
Mr Gregory Campbell (East Londonderry) (DUP): As businesses look to expand their market share in the wider evolving world market beyond the EU ahead of next year, what priority are the Government giving to maintaining and trying to reduce energy bills to create employment and prosperity right across the United Kingdom?

Greg Clark: The hon. Gentleman makes an extremely important point. We have commissioned Professor Dieter Helm to look at how we can reduce the costs of our energy system for businesses and consumers. One of the advantages of the strategy that we have pursued is that we have brought down the costs of offshore wind—a major contribution—by targeting and investing substantially in it at a rate, as my right hon. Friend the Minister for Energy and Clean Growth said earlier, which has resulted in a reduction beyond what anyone expected even a couple of years ago.

Sustainable Electricity Generation

6. Dr Rupa Huq (Ealing Central and Acton) (Lab): What steps is he taking to encourage investment in environmentally sustainable electricity generation.

Claire Perry: The feed-in tariff scheme was launched in 2010 for low-carbon generation. It has been really successful, and now delivers £1.5 billion-worth of support a year for low-carbon energy and destroyed 12,000 solar jobs. Since 2010, we have seen a large increase in renewables deployment and investment, with more than £52 billion invested, and indeed it is paying off. In 2017, more than half our energy generation came from low-carbon sources. As prices tumble, we can buy more with the same amount of money, which is why we are making £557 million available for further contracts for difference. We have started negotiations with Hitachi to bring forward the country’s second new nuclear plant, which my hon. Friend the Member for Monmouth (David T. C. Davies) mentioned.

Dr Huq: The Minister talks a good talk, but rooftop solar panel take-up is at a seven-year low. In my seat, Alternergy has gone from topping the Fintech 100 to an 80% drop in business since the end of the feed-in tariff was announced in 2012. What assurances does the Minister have for such firms after the scheme closes next year?

Claire Perry: It is right that we look at how we can deliver subsidy-free energy using schemes such as the feed-in tariff that have been wildly successful. I will shortly be launching a call for evidence so that we can come up with a good replacement for the feed-in tariff scheme.

Sir Desmond Swayne (Inverness, Nairn, Badenoch and Strathspey) (SNP): Globally, the nuclear power market is declining rapidly while the low-carbon power of offshore wind and battery storage becomes more affordable. How can the UK Government justify taking a reported £5 billion direct stake, and a further guarantee of £9 billion, in the nuclear white elephant that is Hitachi Wylfa Newydd?

Claire Perry: As I have said repeatedly, we have entered into negotiations. I have to tell the hon. Gentleman that one of the saddest things I saw at the conference of the parties in Bonn this year was the barge-loads of dirty brown coal sailing down the Rhur because countries like Germany have made an ideological choice about their energy supply rather than focusing on what keeps the lights on, costs down and carbon falling.

Drew Hendry: The Minister said earlier that she “gave a stuff” about household budgets, yet Tory dogma is set to saddle consumers with nuclear energy costing about £80 per megawatt-hour compared with under £60 for offshore wind. Is it not time that the UK Government stopped living in the past, scrapped this nuclear project and put households, who bear the brunt of costs, front of mind?

Claire Perry: The hon. Gentleman cites numbers that have no relevance to the negotiations. We have to keep bills down, and we have to make sure that the lights are on, that we have a secure energy supply and that we decarbonise. We think nuclear is very much part of that mix.

Feed-in Tariff Scheme

7. Mr Paul Sweeney (Glasgow North East) (Lab/Co-op): What is the date? As I said, we will be announcing that soon.

Barry Gardiner (Brent North) (Lab): In 2015, the then Secretary of State said that 2018 would be the year for the UK to ratchet up our Paris climate commitments and our progress towards sustainable generation, but in the past three years the Government have capped support for low-carbon energy and destroyed 12,000 solar jobs. Clean energy investment, which fell by 10% in 2016, fell by a further 56% in 2017 to its lowest level in a decade. How about the Minister comes down off cloud complacency and finally gives investors certainty about the renewables industry, starting with a date for the consultation on the post feed-in tariff framework?

Claire Perry: I think that the question in all that preamble was, “What is the date?” As I said, we will be announcing that soon.

Drew Hendry: The Minister said earlier that she and put households, who bear the brunt of costs, front of mind?

Claire Perry: The hon. Gentleman cites numbers that have no relevance to the negotiations. We have to keep bills down, and we have to make sure that the lights are on, that we have a secure energy supply and that we decarbonise. We think nuclear is very much part of that mix.

The Minister for Energy and Clean Growth (Claire Perry): The feed-in tariff scheme was launched in 2010 and now delivers £1.5 billion-worth of support a year for low-carbon generation. It has been really successful,
and over 6 GW of it has been deployed—2.5% of UK electricity consumption. We want to see how we can deploy it at a subsidy-free level, as that is where prices are going. I will launch a call for evidence on the future of small-scale generation soon.

Mr Sweeney: Although I was delighted to hear that the world-leading small wind turbine manufacturer in my constituency, Gaia-Wind, was saved from liquidation this week by an overseas buyer, the unnecessary uncertainty that the Government have created around the future of small-scale renewable energy persists. So will the Minister put investors and companies at ease and make a cast-iron promise to bring forward the consultation on future support before the summer recess?

Claire Perry: I am really glad that, as the hon. Gentleman says, it looks as though at least some of the jobs at the company in his constituency have been saved. With these schemes, we always have to think about what is value for money and what is the right thing to do in terms of energy security and supply. I will not make cast-iron guarantees, but I can promise him that it will happen soon.

Tim Farron: Ben Dyson at Lakes Renewables Ltd in Kendal, which focuses on solar power, has seen a 50% reduction in his work due to the impending closure of the scheme. He has kept going by diversifying, but many other firms have gone to the wall. Ben urgently needs policy clarity from next March, and to see business rates on commercial rooftop solar abolished. What steps will the Minister take to ensure that these rates are abolished and that the growth of small green businesses such as Ben’s is encouraged?

Claire Perry: I met representatives of the various trade associations to discuss this really important point. It will be considered separately from the consultation. However, I invite the hon. Gentleman and his constituent to make any representations; I would be keen to receive them.

High Street Businesses

9. Maria Caufied (Lewes) (Con): What steps he is taking to support high street businesses. [905787]

The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Andrew Griffiths): The retail sector is an important part of our economy and our industrial strategy, as are the 3 million jobs employed in it. In March, I established the Retail Sector Council so that retailers can work together with the Government to develop policies to support the sector. Last week, the Secretary of State and I held a roundtable in Downing Street with retailers to establish how to tackle the challenges facing the sector.

Maria Caufied: As more retailers struggle to survive on our high streets, what discussions has the Minister had with Treasury colleagues to move business rates away from a property-type tax so that high-street retailers can compete on a level playing field with online businesses?

Andrew Griffiths: As my hon. Friend will know, in April 2017, retailers saw a 6% reduction before inflation in their business rates, with £3.6 billion of transitional relief. We are doing what we can to support businesses. The Retail Sector Council will be looking at a range of issues, including business rates. The Government are determined to ensure that the taxation system is up to date and fit for purpose.

Toby Perkins (Chesterfield) (Lab): One of the areas on the high street that is particularly struggling is that of our important pubs. I would be interested to hear the Minister’s view on the extent to which pub-owning businesses and tenants enjoy confidence in the Pubs Code Adjudicator—and if they do not, what steps the Government are taking to put that right.

Andrew Griffiths: As the hon. Gentleman will know, I take a particular interest in the health of public houses up and down the country. He will know that this Government set up the Pubs Code Adjudicator to ensure that landlords and tenants across the country got a fair deal. It is still early days, but the adjudicator is getting on and making decisions. I know that the Under-Secretary of State for Business, Energy and Industrial Strategy, my hon. Friend the Member for Watford (Richard Harrington), is in close discussions with the adjudicator to ensure that he is getting the job done.

Sir Patrick McLoughlin (Derbyshire Dales) (Con): Do the Government feel that there is a level playing field between internet providers and businesses on the high street?

Andrew Griffiths: I congratulate my right hon. Friend on his election to the Select Committee; I am sure he will do a great job in standing up for British business. He highlights a key issue, which is the transition from traditional bricks and mortar to online. Last year alone, we saw a 9% increase in online retail. Clearly, that is a challenge for Government and business. That is why we are looking at the business rates structure and also at what we can do to help business to transition during this difficult period.

Laura Smith (Crewe and Nantwich) (Lab): The British Retail Consortium has estimated that up to one third of retail jobs could disappear by 2025 as a fundamental transformation of the market occurs. Does the Minister agree that providing retail workers with the opportunity to upskill and reskill is critical to avoiding mass job losses over the next decade?

Andrew Griffiths: I absolutely agree that it is important to ensure that our workforce are properly skilled, which is why that is an important part of our modern industrial strategy, but I am less pessimistic than she is. Retail employment has been stable at about 3 million. Yes, those jobs are changing, but retail sales totalled some £362 billion last year, and jobs are being created in the retail sector.

Bill Esterson (Sefton Central) (Lab): Last week, House of Fraser announced that 6,000 jobs were at risk. Yesterday, another 5,000 jobs went at Poundworld. Since the start of the year, tens of thousands of retail workers have lost their jobs. Some 3.9 million people work in our retail sector. They, their employers and anyone who cares about our high streets want a retail sector deal, so when are the Government going to publish the strategy? More to the point, will it have any meaningful action?
Andrew Griffiths: I thank the hon. Gentleman for his question. Yesterday, I spoke to the chief executives of both House of Fraser and Poundworld to properly understand the challenges that those businesses face and what Government can do to support them. The hon. Gentleman talks about a sector deal. I politely point out that it was this Government who had to take action to bring together the Retail Sector Council, a forum in which to develop policies. While the Labour party sits by and watches, this Government are getting on and working with the retail sector to protect those jobs.

Sirius Minerals Polyhalite Project

10. Mr Robert Goodwill (Scarborough and Whitby) (Con): If he will make an assessment of the potential contribution of the Sirius Minerals polyhalite project to the industrial strategy.

The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Richard Harrington): The Sirius Minerals polyhalite project has the potential to create 1,000 skilled jobs at the mine near Whitby and on Teesside, with many more jobs in their supply chains. That is an important type of business that will benefit from our industrial strategy, creating skilled jobs in the north of England.

Mr Goodwill: I am sure the Minister is aware of the recent Quod report, which shows the long-term economic benefits of this investment. The polyhalite fertiliser mining project does not only bring the 1,000 jobs that the Minister mentioned but is the largest single investment in the north. Product will be exported to the world through Teesport, growing the local economy by almost 20% and adding £2.3 billion to the economy. Does the Minister agree that that is precisely the kind of project that the Government should be getting behind as part of the modern industrial strategy?

Richard Harrington: I agree with my right hon. Friend. This is a very important project for him, as the Member of Parliament for Whitby. It is an important developing business, and I agree that it is exactly the kind of business that would benefit from our industrial strategy.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): I worked for some years in the chemical industry, so let us talk in real terms. We are talking about potash, and as one of the biggest reserves of potash in Europe, this business is seriously important. On a day like today, when we face the rumination of Brexit, when my local engineering companies are desperate about losing their markets in Europe and when Ministers are resigning, it is vital that we use this resource to compensate for the disaster in the rest of the economy.

Richard Harrington: I agree with the hon. Gentleman; this potash project is very exciting and very good for the UK. It is exactly the kind of business that he would want in his area, and it will help businesses throughout the United Kingdom.

Science, Technology and Innovation Investment

11. Julian Sturdy (York Outer) (Con): What steps he is taking to invest in science, technology and innovation throughout the UK.

The Minister for Universities, Science, Research and Innovation (Mr Sam Gyimah): When it comes to science, research and innovation, this Government are putting their money where their mouth is. We are investing an additional £7 billion in research and development funding by 2022—the biggest ever increase in public funding. Our ambition is to increase the UK’s R&D spend to 2.4% of GDP by 2027, which will be an additional £80 billion over the next decade to help us to dominate the new industries of the future.

Julian Sturdy: The industrial strategy’s commitment to supporting new innovation and investment in science and technology for food production was much welcomed, especially in areas such as North Yorkshire. Will the Minister update the House on what the Government are doing to deliver on these ambitions so that we can fully realise the sector’s potential as a source of high-skill jobs and growing exports?

Mr Gyimah: My hon. Friend is right to mention agri-tech. As he is aware, we set out in the industrial sector that agri-tech is one of the six priority areas for the artificial intelligence and data economy grand challenge. On progress in what we are doing, we have announced a £90 million transforming food production challenge, which will continue to bring together the UK’s world-class agri-food sector with expertise in robotics, AI and data science.

Vicky Ford: In Chelmsford, we are making the sensors that will go on the Sentinel satellites, which will provide a step change in how we monitor our planet’s environment from space. Many European countries have national space programmes and are members of the European Space Agency. Will the UK have a national space programme and contribute to the European Space Agency going forward?

Mr Gyimah: I can answer categorically: the UK will continue to be a member of the independent European Space Agency—currently, for every £1 we invest, we get £10 back—and Innovate UK is looking at a national space programme with the UK Space Agency. In addition, we are looking at a space sector deal to boost the work in our thriving space sector.

Mr Alistair Carmichael (Orkney and Shetland) (LD): Some of the most exciting and innovative work in engineering at the moment is being done on the development of renewable energy from wave and tidal stream power. The sector itself has come up with a proposal for innovation in power purchase agreements. Will the Minister, or perhaps some of his colleagues, agree to meet me with a delegation from the sector to discuss how it can contribute to the Government’s industrial strategy?

Mr Gyimah: Absolutely, I am glad the right hon. Gentleman mentions the industrial strategy, and I would be delighted to meet him.

Lucy Powell (Manchester Central) (Lab/Co-op) rose—
Mr Barry Sheerman (Huddersfield) (Lab/Co-op): No mention of Galileo—not one word.

Mr Speaker: Order. The hon. Gentleman does not need to keep bashing on about Galileo from a sedentary position. We want to hear the views of the hon. Lady, but we have heard the hon. Gentleman chuntering and we may hear him on his feet in due course.

Lucy Powell: When looking at investment in science and innovation across the UK, will the Government do what has not been done in recent years, and make sure that the north gets its fair share?

Mr Gyimah: The hon. Lady mentions the Strength in Places fund—it is actually a big part of our industrial strategy—which is designed to ensure that research and development does not just benefit the so-called golden triangle, but benefits all parts of the UK in terms of jobs and growth.

Hannah Bardell (Livingston) (SNP): Even though telecoms are reserved to Westminster, the UK Government are contributing just £21 million to the Scottish Government’s programme to provide superfast broadband to everyone in Scotland. What representations will the Minister therefore make to the Chancellor about matching the Scottish Government’s whopping £600 million contribution?

Mr Gyimah: It is for the Scottish Government to make their own budget representations, but as we have always said, we are committed to the roll-out of superfast broadband across the UK. Some 95% of the country has superfast broadband, thanks to the work of this Government.

Chi Onwurah (Newcastle upon Tyne Central) (Lab): Science is a great British success story, supporting jobs and growth across the country. With Europe’s funding for UK science down a fifth, more than 6,000 engineers and scientists denied visas in this year alone and universities reporting that Brexit chaos is freezing them out of Europe’s new £90 billion science fund, UK science risks crashing down to earth. Does the Minister accept that his threat to spend the entire UK science budget on duplicating Galileo because the Government have bungled negotiations on this £9 billion UK-EU collaboration is final proof that his science strategy is lost in space?

Mr Gyimah: As I said, we have the biggest increase in science and innovation in this country for 40 years. As for the UK-EU science collaboration, the EU Commissioner himself said: “It is very important for the UK and it is very important for the EU to have a relationship in science and innovation. We’ve had this relationship for so long”.

On Galileo, negotiations are under way and we have made it very clear not only that it benefits the UK but that EU member states stand to lose skills and other important issues without the UK’s involvement.

Gas Sector: Scotland

12. Alan Brown (Kilmarnock and Loudoun) (SNP): What steps he is taking to support the oil and gas sector in Scotland.

The Minister for Energy and Clean Growth (Claire Perry): This Government have provided unprecedented levels of support to help this incredibly important sector—that is something on which we do agree. The Government announced the transferable tax allowance, the sector’s No. 1 ask; established the Oil and Gas Authority; invested in the Aberdeen city deal, including the excellent £90 million Oil and Gas Technology Centre, which I was pleased to visit; and put together a fiscal package worth £2.3 billion. It is working, with 16 new final investment decisions this year.

Alan Brown: That all sounds very good, but the reality is that in 2016 the Budget measures on support for the oil and gas industry were only a third of the measures on inheritance tax. The measure on transferable tax history has been delayed further, so when will that come forward? Why can the Government find billions and billions of pounds for nuclear but not for the oil and gas sector?

Claire Perry: The hon. Gentleman and I usually talk about the sector in very positive terms. We have delivered the things that the sector has asked for and it is working. It is fantastic to see investment happening in the North sea basin. The fact that the sector has gone through a time of building resilience given the oil price decline means that it is now starting to invest and grow again.

British Steel

13. Mrs Madeleine Moon (Bridgend) (Lab): What assessment he has made of the capability of British steel manufacturers to produce high-grade steel for new markets.

The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Richard Harrington): In December 2017, we published Government-commissioned independent research that identified high-value market opportunities for UK steel producers worth up to £3.8 billion a year by 2030.

Mrs Moon: The national shipbuilding strategy sought to improve UK prosperity through shipbuilding. The MOD fleet solid support ships contract is worth more than £1 billion. What steps will the Government be taking to ensure that British steel manufacturers are ready to bid for that contract?

Richard Harrington: As the hon. Lady will know, because I met her the week before last, I am very conscious that Tata is in Port Talbot in her constituency. I promise that I will do everything in my power to ensure that Tata and other British steel companies, all of whom I meet regularly, are poised to act on these contracts.

Carbon Capture and Storage Taskforce

14. John Grogan (Keighley) (Lab): What the timetable is for his receipt of the report of the carbon capture usage and storage cost challenge taskforce; and if he will make a statement.

The Minister for Energy and Clean Growth (Claire Perry): I am delighted to answer this question and continue the conversation about carbon capture and
John Grogan: Does the Minister agree that the development of carbon capture and storage is crucial for much of British manufacturing and for the use of gas during the transition, and will she encourage innovation not just in technology but in finance, with both the Government and the fossil fuel sector contributing?

Claire Perry: The hon. Gentleman might have been reading one of the report’s recommendations. He is absolutely right. We must deliver this in a way that is cost-effective and supports further innovation. I am confident that, with the taskforce’s help, we will have very good recommendations and ideas to move forward with.

**Industrial Strategy**

15. Ms Marie Rimmer (St Helens South and Whiston) (Lab): What progress he has made on developing (a) sector deals and (b) local industrial strategies as part of the industrial strategy.

The Secretary of State for Business, Energy and Industrial Strategy (Greg Clark): Our modern industrial strategy will boost productivity and earning power across the UK. We have announced four sector deals in areas including life sciences, the creative industries, the automotive sector and artificial intelligence. More will come in the weeks ahead. I am encouraged by the work of the mayoral combined authorities and local enterprise partnerships in developing local industrial strategies.

Ms Rimmer: I and my Front Bench colleagues have been informed that dozens of sectors have put forward proposals for a sector deal, including the steel industry, but have had little or no engagement from the Government. Will the Secretary of State confirm how many proposals for sector deals he has received and to how many he has formally responded?

Greg Clark: I am delighted to report that we have had a huge interest from sectors right across the country, including the steel sector. The Under-Secretary of State for Business, Energy and Industrial Strategy, my hon. Friend the Member for Watford (Richard Harrington) and I have had substantial discussions with the steel industry and we look forward to developing that deal in the weeks and months ahead.

Martin Vickers (Cleethorpes) (Con): What progress is being made on the Greater Grimsby town deal?

Greg Clark: I know this deal is close to my hon. Friend’s heart and that of his constituency neighbour. I have made a commitment to come to Cleethorpes and, I dare say, Grimsby to help with that negotiation. I look forward to doing so soon.

Several hon. Members rose—

Mr Speaker: We can take Question 19, if it is brief.

Tidal Lagoons


The Minister for Energy and Clean Growth (Claire Perry): The right hon. Gentleman knows, more than many in the House, the need to invest in innovative technologies, while maintaining a focus on value for money. We have rightly looked at this project with very serious scrutiny. There are some very attractive things about it, but it has to pass the value for money test. When that decision is made, the House will be the first to know.

Sir Edward Davey: Does the Minister accept that nuclear and offshore wind needed pathfinder projects, first-of-a-kind projects, to prove the technology and the economics and to get the cost down. Why can tidal lagoons not have such a pathfinder project, just as Charles Hendry recommended?

Claire Perry: Partly because of the right hon. Gentleman’s great policy decisions, we have had a world-leading advance in offshore wind in terms of the cost at which we can deploy it. He is right to say that we have to consider the whole life cycle of technologies and that is exactly what we have been doing in considering tidal technology.

Mr Speaker: The right hon. Gentleman has been given the accolade of being the source of world leadership in a particular field. I trust, therefore, that he will be gratified with his efforts today.

**Topical Questions**

T1. Diana Johnson (Kingston upon Hull North) (Lab): If he will make a statement on his departmental responsibilities.

The Secretary of State for Business, Energy and Industrial Strategy (Greg Clark): Since our last departmental questions, we have taken further steps to implement our industrial strategy. In early May, we launched UK Research and Innovation, with a budget of £6 billion a year, to drive forward our growing investment in research and development. The Prime Minister announced four missions that our grand challenges will achieve, including to save 20,000 lives a year through artificial intelligence-assisted cancer diagnosis. We have launched sector deals in AI, convened the first ever Retail Sector Council and launched a major programme to drive productivity in smaller companies. On the 150th anniversary of the creation of the TUC, from the party that established the royal commission that decriminalised trade unions, that brought in widows pensions and holiday entitlements, that created the national living wage—in other words, Mr Speaker, the true workers’ party—we wish the TUC a very happy birthday.

Diana Johnson: Of course, I say to the Secretary of State that the Labour party was founded by the trade unions.

My question is about retail. In Hull, retail employs 12,000 people. Hull’s House of Fraser store is going to close, with the loss of 207 jobs. Hull has three Poundworld stores that are under threat and there are also concerns...
about Hull’s Marks and Spencer store, which may be one of the 60 unidentified branches closing by 2022. After the Comet collapse, which cost taxpayers some £45 million, what is the Minister going to do to assist shop workers and protect taxpayers?

**Greg Clark:** The hon. Lady will concede that the efforts and engagement through the city of culture year between the Government and Hull were very substantial and very effective. I am familiar with the House of Fraser store in Hull. I know what an important part it plays in the life of the town centre. I understand that the council is confident that such a prime site, which I know well, will be taken up. I will work closely with the council to make sure, through the sector council, it has all the help it needs.

T4. [905805] **Michael Tomlinson** (Mid Dorset and North Poole) (Con): Will my right hon. Friend update the House on what he is doing to support vulnerable people in Mid Dorset and North Poole with their energy bills?

**The Minister for Energy and Clean Growth (Claire Perry):** Of course, the whole House will shortly be able to pass the price cap Bill, which will assist all consumers with the cost of energy, and this comes on top of the prepayment meter and vulnerable consumers price caps that are in place. We are determined to continue supporting vulnerable consumers through such things as the warm home discount, winter fuel payments and repurposing the very large energy company obligation scheme to tackle fuel poverty.

T2. [905803] **Thangam Debbonaire** (Bristol West) (Lab): Will the Secretary of State please think of the 150,000 homes that it would power, the thousands of jobs that it would create, the supply chain business that it would support in Wales and the west, and the climate change that it would tackle, and get off the fence and announce Government support for Swansea Bay tidal lagoon today?

**Claire Perry:** I have always admired the hon. Lady’s passion. Again, as I have said multiple times, we absolutely are very keen to scrutinise this deal. It has to deliver the low-carbon energy we all want and the jobs we all want at a price that is affordable for the consumers we all represent.

T5. [905806] **Luke Graham** (Ochil and South Perthshire) (Con): Following my Adjournment debate on 4 June, what steps has my right hon. Friend been able to take to progress geothermal energy in Clackmannanshire?

**Claire Perry:** Those who missed the Clackmannanshire energy project Adjournment debate missed a massive treat: it was a very enjoyable, informative debate. We are very supportive of the project. My officials are working closely to explore funding opportunities, and I commend my hon. Friend for his continued leadership in this important area.

T3. [905804] **Jamie Stone** (Caithness, Sutherland and Easter Ross) (LD): Last night, I had the pleasure of travelling on the sleeper from Inverness to Euston, and with me on the sleeper was a consignment of delicious highland shellfish products. What are the Government doing to assist the transportation of fresh highland food products to markets in the south and, indeed, overseas?

**The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Richard Harrington):** As you may well be aware, Mr Speaker, highland products are absolutely excellent and should well be distributed to all parts of the UK. The Government’s policy, with the industrial strategy to develop business by helping with research and development and through keeping fuel prices low, without the troughs and peaks that the Secretary of State mentioned, will help significantly.

T8. [905809] **Michelle Donelan** (Chippenham) (Con): Each year, I organise the Wiltshire Festival of Engineering, and this October’s event is set to reach thousands of young children. What will the Department be organising for this year’s Year of Engineering?

**The Minister for Universities, Science, Research and Innovation (Mr Sam Gyimah):** The Festival of Engineering is particularly important for students because we want to encourage and inspire people to take engineering subjects and follow engineering careers. A lot of activity is planned and I will be delighted to share this with my hon. Friend.

T6. [905807] **Lucy Powell** (Manchester Central) (Lab/Co-op): With Government support for the third runway at Heathrow coming on top of Crossrail 2, is this not yet another example of infrastructure spending going to the south-east of England? Will the Secretary of State now up the ante and make sure that we get the infrastructure spend to realise the northern powerhouse?

**Greg Clark:** We are getting on with major infrastructure investments that would be good for the whole United Kingdom and that the previous Government did not take.

T9. [905810] **Richard Graham** (Gloucester) (Con): Like all good films, I hope that a Government response to the Hendry review is “Coming Soon”, but meanwhile, will the Minister share with us whether she agrees that the opportunities for marine energy, whether tidal stream, tidal lagoon or waves, are enormous? Does she agree that they deserve more support and encouragement to develop this fantastically innovative source of additional low-carbon, domestically produced energy?

**Claire Perry:** I must pay tribute to my hon. Friend’s brilliant chairmanship of the all-party group on this technology area. He is absolutely right: we do think that water power has incredible potential. That is why the Government have invested over £100 million since 2010 in investigating various forms of the technology and why we are keen to continue to pursue opportunities, but they have to be at the right price for consumers.

**Richard Harrington:** As I hope the hon. Gentleman is aware, I meet the steel industry regularly, and I am very interested to meet him to hear his views on the subject. I
can assure him that everything that can possibly be done to deal with tariffs is being done. I had a meeting with all the chief executives of the steel business. I went to Brussels last week and met the director general of trade, as well as other CEOs and European colleagues.

Huw Merriman (Bexhill and Battle) (Con): High street businesses lose out when banks close, pensioners lose banking services, and post offices are also facing challenging times. What can be done to make sure that the main high street banks provide their services at least in a host post office that acts as a hub?

The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Andrew Griffiths): My hon. Friend, who makes some important points, will know that the Government have invested £2 billion in the post office network to ensure that across the country, in communities where retail banks are closing, the Post Office can step up and allow his constituencies and businesses, among others, to access both personal and business banking in their local post office. That is good for the post offices and for our communities.

T10. [908511] Paula Sherriff (Dewsbury) (Lab): Dewsbury town centre is a shadow of its former self and has the second highest rate of vacant units in the country. Will the Minister tell me exactly what the Government are doing to deal with the decline of high streets in northern towns such as mine?

Andrew Griffiths: The hon. Lady will know that the retail sector is particularly impacted on by changes in consumer behaviour. More people are shopping online, and that is a challenge for the sector. There is no silver bullet, but through the retail sector we are sitting alongside industry and trying to understand the challenges it faces, such as on business rates and how we adapt to ensure that we not only help the sector to make that transition, but protect the jobs of the 3 million people employed in the sector.

Stephen Kerr (Stirling) (Con): When will the Government respond to the joint report on Carillion by the Business, Energy and Industrial Strategy Committee and the Work and Pensions Committee?

Andrew Griffiths: I thank my hon. Friend for his question and thank the Select Committees for their work on Carillion. They did a truly remarkable job in holding the directors of Carillion to account and uncovering exactly what went on with the Carillion collapse. I think the report was issued on 16 May, and the Government have 60 days in which to respond, but I can assure him that we are doing all we can to meet the challenge.

Several hon. Members rose—

Mr Speaker: Order. We have run out of time so we must have very brief questions. I think a sentence will suffice.

Jim Shannon (Strangford) (DUP): Factory output has decreased, according to the papers today. Will the Minister outline what he can do to assist factory manufacturing and initiate a clear industrial strategy?

Greg Clark: As the hon. Gentleman knows, through the industrial strategy, which has been developed in close collaboration with the Engineering Employers Federation, and through investment in research and development and skills, we are doing everything we can to take the opportunities arising.

James Cartlidge (South Suffolk) (Con): Given the success of auto-enrolment, will the Minister outline what steps the Department is taking to ensure that as the country saves more, we invest more in British industry?

Andrew Griffiths: The hon. Gentleman will know that through the industrial strategy we are doing all we can to support British business and make sure it gets the investment it needs, particularly through the British Business Bank, which is looking to release £20 billion of patient capital to give our businesses the rocket fuel they need to grow.

Mr Adrian Bailey (West Bromwich West) (Lab/Co-op): The decision by JLR to invest in electric vehicles is very welcome, but equally the decision to produce the Discovery model in Slovakia is profoundly worrying. Does the Secretary of State agree that it underlines the need for tariff-free access for both cars and components in the EU?

Greg Clark: I agree with what the hon. Gentleman said at the end—of course we need tariff-free access with a minimum of frictions to these important markets—but I disagree that this is not a sign of significant confidence. JLR is investing in the next generation of vehicles. I hope he will welcome that.

Melanie Onn (Great Grimsby) (Lab): What is the Secretary of State’s No. 1 initiative to ensure that the Greater Grimsby town deal moves from theory to reality?

Greg Clark: As I said to my hon. Friend the Member for Cleethorpes (Martin Vickers), I will come and sit down with Grimsby and Cleethorpes leaders to negotiate it myself.

Rachael Maskell (York Central) (Lab/Co-op): There is clearly a crisis on our high street, so will the Minister ensure that business rates are fully addressed in this year’s Budget?

Andrew Griffiths: I can assure the hon. Lady that, together with the retail industry, we are looking at business rates, their impact on businesses and our ability to ensure we have a fair taxation system.

Kirsty Blackman (Aberdeen North) (SNP): The industrial strategy challenge fund round closed in April, but the Government are not expected to make a decision until the tail end of this year. Can they speed up the process please?

Mr Gyimah: We are determined to speed up the process, and obviously we are investing more than ever before, but it is important that we take our time to make the right investments to benefit UK industry.

Fiona Onasanya (Peterborough) (Lab): Employees in my constituency have time limits imposed on their toilet breaks, which are insufficient. What assessment has the Department made of businesses adopting such practices?

Andrew Griffiths: The Department keeps a close eye on developments of this kind, and I assure the hon. Lady that the matter is firmly on our agenda. We want to ensure, through the Matthew Taylor review and the
work we are doing ourselves, that workers are treated fairly, receive the support that they need in business, and are fairly paid.

**Alison Thewliss** (Glasgow Central) (SNP): One of the biggest missing links in the tackling of money laundering is the Government’s own agency, Companies House. When will the Minister ensure that it is funded adequately and has enough staff to carry out proper checks on businesses?

**Andrew Griffiths:** I assure the hon. Lady that we are seeking to ensure that Companies House is fit for purpose. As she will know, in 2016-17 it brought some 3,182 prosecutions. Companies House is very attuned to the challenges that it faces, particularly in relation to money laundering. That is why we are introducing, for instance, measures relating to Scottish limited partnerships, which I am sure the hon. Lady will welcome.

**Mr Barry Sheerman** (Huddersfield) (Lab/Co-op): I know that the Secretary of State is an honourable man. He is the Business Secretary. If we have a hard Brexit, British business will be devastated. Will he join us today in voting to keep us in the single market?

**Greg Clark:** I work night and day to make sure that British and international businesses continue to invest in this country, and they have shown a willingness to do so. We want to be the best location not only for trade with Europe but for trade around the world, and that will form part of our negotiations.

**Stewart Malcolm McDonald** (Glasgow South) (SNP): What support can my constituents, who are among the 5,000 set to lose their jobs at Poundworld, expect from the Government?

**Andrew Griffiths:** As the hon. Gentleman will know, I spoke to the chief executive of Poundworld yesterday to try to understand the challenges that it faces. Through the official receiver, the special manager is seeking to do everything possible to rescue the business, and they are hopeful that there are buyers out there for at least part of it. We in the Government have pledged to do all that we can to ensure that the business is rescued.
Points of Order

12.37 pm

Tim Farron (Westmorland and Lonsdale) (LD): On a point of order, Mr Speaker. May I seek your advice? Last Monday, following the oral statement on rail timetabling, I asked the Transport Secretary whether he would refuse any request by Arriva Northern to extend the immensely disruptive two-week suspension of the Lakes line in Cumbria. He replied:

“I am not prepared to accept more than the current two weeks and...I have been clear to Arriva that doing this over the long term is simply unacceptable”.—[Official Report, 4 June 2018; Vol. 642, c. 58.]

I was therefore horrified to learn on Friday that Arriva Northern had, in fact, extended the suspension by a further two weeks, to 2 July, and that a spokesperson for the Secretary of State’s Department had said that it did not object to the “operational decision”.

The Transport Secretary told the House that he would do one thing, and he has gone and done the complete opposite. What can you do, Mr Speaker, to compel him to appear before the House and explain himself and to ensure that commitments made by Ministers of the Crown in this House are actually fulfilled?

Mr Speaker: I am grateful to the hon. Gentleman for his point of order. I am not privy to the details of this matter, but my response to the hon. Gentleman, off the top of my head, is twofold.

If a Minister feels that he or she has been inaccurate in a statement to the House, it is incumbent upon, and open to, that Minister subsequently to correct the record. It may be that the Minister holds a view, and would offer an interpretation of the sequence of events, that differs from that of the hon. Gentleman. I do not, in all candour, know.

I would just add, without offering any judgment on the merits of the case—which it would not be right for me to do—that a less than 100% correlation between what is said at one time and what happens at another time is not entirely without precedent in our parliamentary history.

I feel that on this occasion—and he will take it in the right spirit—the hon. Gentleman was perhaps more interested in what he had to say to me than in anything that I might have to say to him, and he has been successful in his mission: it is on the record.

Chuka Umunna (Streatham) (Lab): On a point of order, Mr Speaker. Sir Winston Churchill said:

“The first duty of a member of Parliament is to do what he thinks in his faithful and disinterested judgement is right and necessary for the honour and safety of Great Britain. His second duty is to his constituents, of whom he is the representative but not the delegate.”

With that in mind, Mr Speaker, I would like to draw your attention to the disgraceful front page of today’s Daily Express, which gives one “simple” warning to “our elected representatives”:

“ignore the will of the people at your peril.”

This is a threat, pure and simple, and an attempt to intimidate and threaten Members ahead of the votes on the Lords amendments today.

That paper is not the only protagonist. This gives licence to people to abuse and threaten Members of this House who exercise their judgment to do what they think is best for our country, as the Under-Secretary of State for Justice, the hon. Member for Bracknell (Dr Lee), has done in resigning this morning. Already on social media, a UKIP supporter has called for him to be hung, drawn and quartered; and you will know, Mr Speaker, that just last week a gentleman was given a nine-week suspended jail sentence for sending threatening emails to the right hon. Members for Broxtowe (Anna Soubry) and for Loughborough (Nicky Morgan), my right hon. Friend the Member for Tottenham (Mr Lammy), my hon. Friend the Member for Wolverhampton South West (Eleanor Smith), the hon. Member for South Cambridgeshire (Heidi Allen) and other Members. What advice, Mr Speaker, would you give to Members in the face of such abuse and threats?

Mr Speaker: My advice, in so far as it is ever required, is: do as your conscience dictates. That is what Members of Parliament on any side of any argument are not merely entitled, but perhaps constitutionally obliged, to do. The freedom of speech that we enjoy in this place was hard-won and by all Members of whatever hue will I am sure be jealously, and rightly jealously, guarded.

I must say en passant to the hon. Gentleman that until he held up that copy of that paper I had not seen the headline or report to which he referred; I am not in the habit of reading this sort of material and it is a matter of no interest or concern to me whatsoever. All that is of interest and concern to me is that right hon. and hon. Members do what they believe to be right by their constituents, by their conscience and by their country.

Anna Soubry (Broxtowe) (Con): Further to that point of order, Mr Speaker. Do you share my concern that to my knowledge at least one hon. Member on these Benches will today and tomorrow not vote in accordance with their conscience because of threats to their personal safety, to members of their parliamentary staff and to members of their family? Do you take that as a very serious threat to the democracy of this place, and if you do would you expect a senior member of Her Majesty’s Government to come forward and make it clear that this will not be tolerated by any party against any Member of Parliament?

Mr Speaker: I can only repeat what I have said: Members must speak and vote as they think fit. No Member of this House, whatever opinion he or she holds, should be threatened because of it. No Member should be subject to threats, and any Member subject to threats of a kind—

The Leader of the House of Commons (Andrea Leadsom) rose—

Mr Speaker: In a moment, I will of course come to the Leader of the House.

Any Member subject to threats of a kind that would be unlawful must take the appropriate action. As we know, there are lots of things that happen in politics whereby attempts to persuade people are made which
are perfectly legitimate and in which neither the Chair, nor I suspect the Leader of the House or any other Member, would seek to involve himself or herself. If the right hon. Member for Broxtowe (Anna Soubry) is suggesting that illegality is involved, Members know what course of action to follow. I would hope, and am confident, that today’s and tomorrow’s debates will take place in an atmosphere of mutual respect, in which opinions sincerely held will be robustly articulated. But no one in this place under any circumstance should be under threat.

If the Leader of the House still feels that anything needs to be added, she is welcome to attempt to do so.

**Andrea Leadsom:** Thank you, Mr Speaker. I should like to accept the invitation from my right hon. Friend the Member for Broxtowe (Anna Soubry) and to say on behalf of the Government that any threats of violence or intimidation are utterly unacceptable to the Government. The Government will absolutely uphold the right of every Member to do what they believe is the right thing to do.

**Mr Speaker:** I am most grateful to the Leader of the House. That is very clear, and it is on the record. I for one appreciate it and I rather imagine that it will be appreciated by other Members. If there are no further points of order—at any rate for now—we come to the ten-minute rule motion. [Interjection.] Order. I know that colleagues are eagerly anticipating the next business, but I am sure that they will want to accord a courteous hearing to the hon. Member for Congleton (Fiona Bruce) as she presents her ten-minute rule Bill.

**Fiona Bruce (Congleton) (Con):** I beg to move, 

*Motion for leave to introduce a Bill (Standing Order No. 23)*

12.46 pm

<table>
<thead>
<tr>
<th>Fiona Bruce (Congleton) (Con):</th>
<th>I beg to move,</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>That leave be given to bring in a Bill to make provision about the minimum price at which alcohol may be sold from licensed premises in England; and for connected purposes.</td>
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<tr>
<td></td>
<td>I should like to begin by thanking the Government for the action that they have already taken on alcohol harm, including the duty increase on white ciders proposed by the Chancellor in his latest Budget, when he said:</td>
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<tr>
<td></td>
<td>“Excessive alcohol consumption by the most vulnerable people is all too often done through cheap, high-strength, low-quality products, especially so-called white ciders.”—[Official Report, 22 November 2017; Vol. 631, c. 1053.]</td>
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<td></td>
<td>The Health Secretary recently announced £6 million of funding to support the children of alcoholics, stating:</td>
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<td></td>
<td>“The consequences of alcohol abuse are devastating for those in the grip of an addiction”,</td>
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<td></td>
<td>as well as for those around them. Alcohol harm affects not only those who drink but their families, children and colleagues, and wider society. Tackling this issue is a matter of social justice.</td>
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<td></td>
<td>In England, more than 23,000 people die every year from alcohol-related causes, and many are from the poorest sections of society. The availability of cheap alcohol is a key driver of health inequalities, and it perpetuates deprivation. Of the 1 million alcohol-related hospital admissions last year, half were from the most deprived sections of society. Alcohol harm is the leading cause of death among 15 to 49-year-olds, and in 2015, it caused more years of life to be lost to our workforce than the 10 most common cancers combined. Alcohol harm is estimated to cost the NHS £3.5 billion a year, which equates to 117,000 nurses’ salaries, and Public Health England has estimated that the problem of dependent drinking could be costing UK society as much as £52 billion a year.</td>
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<tr>
<td></td>
<td>There is no silver bullet to eradicate alcohol harm, but I do not accept that we have exhausted our options for reducing it. There are still a number of reasonable, targeted policies that would have a significant impact, socially, economically and fiscally, and not least by helping to boost productivity. One is minimum unit pricing. What is minimum unit pricing? MUP sets a minimum price, sometimes called a floor price, below which drink cannot be sold. It is based on the number of units of alcohol that a drink contains. For example, the floor price could be set at 50p per unit, as has been done in Scotland, where MUP was recently introduced. That would mean that the minimum price at which a pint could be sold would be £1.15.</td>
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<tr>
<td></td>
<td>Crucially, that would leave most drink prices untouched, including those in pubs, while increasing the price of the cheapest, strongest products, which are consumed by the most dependent and vulnerable drinkers and which cause the most harm. That should end the sale of irresponsibly discounted drinks in the off-trade and, in so doing, provide some protection for local pubs. Moderate drinkers would barely notice the difference, as nearly all the alcohol they buy would be above the minimum price. Under a 50p MUP, moderate drinkers would spend just £2.25 extra a year, according to research</td>
</tr>
</tbody>
</table>
quoted by the Institute of Alcohol Studies and Alcohol Concern. MUP is not a tax, nor is it telling people how to live their lives. It is a policy aimed at discouraging consumption among those drinking at harmful levels, many of whom want desperately to reduce their drinking and are far more likely to purchase alcohol at less than 50p a unit than other drinkers.

MUP would have the limited, specific impact of helping

“those who are most vulnerable: the heaviest drinkers, the lowest socioeconomic groups and children.”

That is not my claim, but what was said in expert evidence to the Select Committees on Health and Social Care and on Home Affairs earlier this year by Professor Sir Ian Gilmore, chair of the Alcohol Health Alliance. Rosanna O’Connor, director of alcohol, drugs and tobacco at Public Health England, told those Committees that MUP is “exquisitely targeted” at people who are drinking the strongest, cheapest alcohol. That is a staggeringly small group of people. About 4% of the population drinks just under a third of the alcohol consumed in this country—about 2 million people. Again, to distinguish it from a tax, Professor Nick Sheron, academic clinical alcohol adviser to Public Health England, told the Committees that MUP

“is far more likely to be effective in reducing alcohol-related harm, because it does not put up the price of alcohol across the board, it does not increase the price of alcohol in pubs and clubs, and it is targeted at cheap alcohol.”

By affecting the affordability of the lowest-cost, often high-strength alcohol, the policy is well targeted at health outcomes, and the Government’s own evidence review, undertaken by Public Health England in 2016, stated that tackling affordability is

“the most effective and cost-effective approach to prevention”

and health improvement. Since then, Scotland has introduced MUP, the Republic of Ireland is preparing to legislate for it, and the Welsh Assembly’s Bill is currently at stage 3—its Report stage. Aside from the cross-border complications that will ensue if England is out of step with both Scotland and Wales, particularly across the more populated England-Wales border, and notwithstanding what the Government are saying about waiting to see how MUP impacts in Scotland a year or so hence, would it not be preferable, and indeed right, to prepare for action now? Hence, my Bill. Can it be right that England lags behind on this social justice issue?

The policy would disproportionately benefit the poorest, with evidence suggesting that 80% of the lives saved by MUP would come from the lowest-income groups. An MUP in England of 50p would save 525 lives, prevent 22,000 hospital admissions and lead to 36,500 fewer crimes every year. MUP is targeted well, because it does not adversely affect local community pubs. Indeed, research by the Institute of Alcohol Studies shows that publicans support MUP by a rate of two to one. The measure is widely supported not only by colleagues across all the major parties, but by doctors, the police, homelessness services, children’s charities and 51% of the public. The significant and tragic impact of alcohol harm is far too great for us to fail to act. This matter is urgent. Public Health England’s latest update, published in January this year, states:

“In recent years, many indicators of alcohol-related harm have increased.”

This Bill has support from across the House, and I urge the Government to give it serious consideration without delay.

As a postscript, I thank the Under-Secretary of State for Health and Social Care, my hon. Friend the Member for Winchester (Steve Brine), for announcing just last month—after I applied for this motion—that he is commissioning a review of the evidence for MUP in England. No doubt that will form part of the current Home Office-led consultation on a new alcohol strategy, which I greatly welcome. I hope that that work will eventually lead to a Government Bill on MUP in England and that my Bill will therefore become unnecessary. In the meantime, I thank all colleagues who support my Bill here today.

Question put and agreed to.
Ordered.
That Fiona Bruce, Sir David Amess, Jack Brereton, Dr Lisa Cameron, Alex Cunningham, Sir Jeffrey Donaldson, Frank Field, Norman Lamb, Sir Edward Leigh, Jeremy Lefroy, Dr Philippa Whitford and Dr Sarah Wollaston present the Bill.
Fiona Bruce accordingly presented the Bill.

Bill read the First time; to be read a Second time on Friday 26 October and to be printed (Bill 223).

EUROPEAN UNION (WITHDRAWAL) BILL (PROGRAMME) (NO. 3)

Motion made, and Question put forthwith (Standing Order No. 83A (7)).

That the following provisions shall apply to the European Union (Withdrawal) Bill for the purpose of supplementing the Orders of 11 September 2017 (European Union (Withdrawal) Bill (Programme)) and 16 January 2018 (European Union (Withdrawal) Bill (Programme) (No.2)):

Consideration of Lords Amendments

1. Proceedings on consideration of Lords Amendments shall be completed in two days.
2. The proceedings 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

<table>
<thead>
<tr>
<th>Lords Amendments</th>
<th>Time for conclusion of proceedings</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amendments 110, 128, 37, 39, 125, 19, 52, 10, 43, 45, 20, 11 to 14, 18, 21 to 23, 44, 47, 102 to 107, 112, 113, 115 to 119, 121 to 124, 126, 127, 130 to 134, 136 to 140, 142 to 148, 150, 152, 154, 156 to 158, 171, and 172.</td>
<td>Three hours after the commencement of proceedings on consideration of Lords amendments on the first day.</td>
</tr>
<tr>
<td>Amendments 25, 15 to 17, 26 to 31, 46, 48 to 50, 54 to 101, 108, 109, 111, 114, 120, 129, 135, 141, 149, 151, 152, 155, 162, 165, 169, and 173 to 196.</td>
<td>Six hours after the commencement of proceedings on consideration of Lords amendments on the first day.</td>
</tr>
<tr>
<td>Amendments 51, 1, 2, 5, 53, 4, 3, 24, 32, 6 to 9, 33 to 36, 38, 40 to 42, 159 to 161, 163, 164, 166 to 168, and 170.</td>
<td>Six hours after the commencement of proceedings on consideration of Lords amendments on the second day.</td>
</tr>
</tbody>
</table>

Subsequent stages
4. Any further Message from the Lords may be programmed.

—(Mr David Davis.)
Division No. 165]  [12.56 pm

The House divided: Ayes 321, Noes 304.

AYES

Adams, Nigel
Afolami, Bim
Afriyie, Adam
Aldous, Peter
Allen, Heidi
Argar, Edward
Atkins, Victoria
Bacon, Mr Richard
Badenoch, Mrs Kemi
Baker, Mr Steve
Baldwin, Harriett
Barclay, Stephen
Baron, Mr John
Bebb, Guto
Bellingham, Sir Henry
Benyon, rh Richard
Beresford, Sir Paul
Berry, Jake
Blackman, Bob
Blunt, Crispin
Boles, Nick
Bone, Mr Peter
Bottomley, Sir Peter
Bowie, Andrew
Bradley, Ben
Bradley, rh Karen
Brady, Sir Graham
Braverman, Suella
Breerton, Jack
Bridgen, Andrew
Brine, Steve
Brokenshire, rh James
Bruce, Fiona
Brokenhurst, rh James
Buckland, Robert
Burghart, Alex
Burns, Conor
Burt, rh Alistair
Cairns, rh Alun
Campbell, Mr Gregory
Cardy, James
Cash, Sir William
Caufield, Maria
Chalk, Alex
Chishti, Rehman
Chope, Sir Christopher
Churchill, Jo
Clark, Colin
Clark, rh Greg
Clarke, Mr Simon
Cleverly, James
Clifton-Brown, Sir Geoffrey
Coffey, rh Dr Thérèse
Collins, Damian
Costa, Alberto
Courts, Robert
Cox, Mr Geoffrey
Crabb, rh Stephen
Crouch, Tracey
Davies, Chris
Davies, David T. C.
Davies, Glynn
Davies, Philip
Davis, rh Mr David
Dinan, Caroline
Djanogly, Mr Jonathan
Docherty, Leo
Dodds, rh Nigel
Donaldson, rh Sir Jeffrey M.
Donelan, Michelle
Donnies, Ms Nadine
Double, Steve
Dowden, Oliver
Doyle-Price, Jackie
Drax, Richard
Dudbridge, James
Duguid, David
Duncombe, Mr Alan
Dunne, Mr Philip
Ellis, Michael
Ellwood, Mr Tobias
Ephicke, Charlie
Eustice, George
Evans, Mr Nigel
Evennett, rh Sir David
Fabricant, Michael
Fallon, rh Sir Michael
Field, rh Frank
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 Nasra
Gibb, rh Nick
Gillian, rh Dame Cheryl
Girvan, Paul
Glen, John
Goldsmith, Zac
Goodwill, rh Mr Robert
Gove, rh Michael
Graham, Luke
Graham, Richard
Grant, Bill
Grant, Mrs Helen
Gray, James
Grayling, rh Chris
Green, Chris
Green, rh 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
Harnett, Rush
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
Hoey, Kate
Hollingbery, George
Hollinske, Kevin
Hollobone, Mr Philip
Holloway, Adam
Howell, John
Huston, rh Mr Jeremy
Hurd, rh Mr Nick
Jack, Mr Alister
James, Margot
Javid, rh Sajid
Jayawardena, Mr Ranil
Jenkin, Sir Bernard
Jenkyns, Andrea
Jenrick, 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
Knight, Julian
Kristo, rh Sir Edward
Kristo, rh Sir Greg
Latham, Mrs Pauline
Leadsom, rh Andrea
Lee, Dr Philip
Lefroy, Jeremy
Leigh, rh Sir Edward
Lewin, rh Sir Oliver
Lewer, Andrew
Lewis, rh Brandon
Liddell-Grainger, Mr Ian
Lidington, rh Mr David
Little Pengelly, Emma
Lopez, Julia
Lopresti, Jack
Lord, Mr Jonathan
Loughton, Tim
Macklin, Craig
Macleod, Rachel
Main, Mrs Anne
Mak, Alan
Malthouse, Kit
Mann, Scott
Masterton, Paul
Mayor, rh Mrs Theresa
McCloughlin, rh Sir Patrick
McPartland, Stephen
McVey, rh Ms Esther
Menzies, Mark
Mercer, Johnny
Merriman, Huw
Metcalfe, Stephen
Miller, rh Mrs Maria
Milling, Amanda
Mills, Nigel
Milton, rh Anne
Mitchell, rh Mr Andrew
Moore, Darren
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
Paterson, rh Mr Owen
Pawsey, Mark
Penning, rh Sir Mike
Penrose, John
Percy, Andrew
Perry, rh Claire
Philip, Chris
Pincher, Christopher
Poulter, Dr Dan
Pow, Rebecca
Prentis, Victoria
Prisk, rh Mr Mark
Pritchard, Mark
Pursglove, Tom
Quin, Jeremy
Quince, Will
Raab, Dominic
Redwood, rh John
Rees-Mogg, Mr Jacob
Robertson, Mr Laurence
Robinson, Gavin
Robinson, Mary
Rosindell, Andrew
Ross, Douglas
Rowley, Lee
Rudd, rh Amber
Rutley, David
Sandbach, Antoinette
Scully, Paul
Seely, rh Mr Bob
Selous, Andrew
Shannon, Jim
Shapps, rh Grant
Sharma, Alok
Shelbrooke, Alec
Simpson, David
Simpson, rh Mr Keith
Skipper, Chris
Smith, Chloe
Smith, Henry
Smith, rh Juliet
Smith, Rhys
Smethurst, Andrew
Soames, rh Sir Nicholas
Spelman, rh Dame Caroline
Spencer, Mark
Stephenson, Andrew
Stevenson, John
Stewart, Bob
Stewart, lain
Stewart, Rory
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
Tolhurst, Kelly
Tomlinson, Justin
Tomlinson, Michael
Tracey, Craig
Tredinnick, David
Trevelyan, Mrs Anne-Marie
Truss, rh Elizabeth
Tugendhat, Tom
Vaizey, rh Mr Edward
Vara, Mr Shaislehs

Vickers, Martin
Villiers, rh Theresa
Walker, Mr Charles
Walker, Mr Robin
Warburton, David
Warmann, Matt
Watling, Giles
Wheelan, 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

Tellers for the Ayes: Paul Maynard and Stuart Andrew

NOES

Abbott, rh Ms Diane
Abrahams, Debbie
Ali, Rushanara
Allin-Khan, Dr Rosena
Amesbury, Mike
Antoniacci, Tonia
Ashworth, Jonathan
Astin, Ian
Bailey, Mr Adrian
Bardell, Hannah
Barron, rh Sir Kevin
Beckett, rh Margaret
Benn, rh Hilary
Berger, Luciana
Bettis, Mr Clive
Black, Mhairi
Blackford, rh Ian
Blackman, Kirsty
Blackman-Woods, Dr Roberta
Blomfield, Paul
Brabin, Tracy
Bradshaw, rh Mr Ben
Brake, rh Tom
Brennan, Kevin
Brock, Deidre
Brown, Alan
Brown, Lyn
Brown, rh Mr Nicholas
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Richard
Butler, Dawn
Byrne, rh Liam
Cable, rh Sir Vince
Cadbury, Ruth
Cameron, Dr Lisa
Campbell, rh Mr Alan
Carden, Dan
Carmichael, rh Mr Alistair
Champion, Sarah
Chapman, Douglas
Chapman, Jenny
Charalambous, Bambos
Cherry, Joanna
Clarke, rh Mr Kenneth

Fletcher, Colleen
Flint, rh Caroline
Flynn, Paul
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
Grant, Peter
Gray, Neil
Green, Kate
Greenwood, Lillian
Greenwood, Margaret
Griffith, Nia
Grogan, John
Gwynne, Andrew
Haigh, Louise
Hamilton, Fabian
Hardy, Emma
Harman, rh Ms Harriet
Harris, Carolyn
Hayes, Helen
Hayman, Sue
Healey, rh John
Hendrick, Sir Mark
Hendry, Drew
Hepburn, Mr Stephen
Hermon, Lady
Hill, Mike
Hiller, Meg
Hobhouse, Wera
Hodge, rh Dame Margaret
Hodgson, Mrs Sharon
Hollem, Kate
Hosie, Stewart
Howarth, rh Mr George
Huq, Dr Rupa
Hussain, Imran
Jardine, Christine
Janvies, Dan
Johnson, Diana
Jones, Darren
Jones, Gerald
Jones, Graham P.
Jones, Helen
Jones, rh Mr Kevan
Jones, Sarah
Jones, Susan Elan
Kane, Mike
Keeley, Barbara
Kendall, Liz
Khan, Afzal
Kilren, 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, Tony
Long Bailey, Rebecca
Lucas, Caroline
Lucas, Ian C.
Lynch, Holly
MacNeil, Angus Brendan
Madders, Justin
Mahmood, Mr Khalid
Mahmood, Shabana
Malhotra, Seema
Mann, John
Marsden, Gordon
Martin, Sandy
Maskell, Rachael
Matheson, Christian
Mc Nally, John
McCabe, Steve
McCarthy, Kerry
McDonagh, Siobhain
McDonald, Andy
McDonald, Stewart Malcolm
McDonald, Stuart C.
McDonnell, rh John
McFadden, rh Mr Pat
McGinn, Conor
McGovern, Alison
McInnes, Liz
McKinnell, Catherine
McMahon, Jim
McMorrin, Anna
Mearns, Ian
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
Ott, Melanie
Owurah, Chi
Osamor, Kate
Owen, Albert
Peacock, Stephanie
Pearce, Teresa
Pennycook, Matthew
Perkins, Toby
Phillips, Jess
Phillipson, Bridget
Piddock, Laura
Platt, Jo
Pollard, Luke
Pound, Stephen
Powell, Lucy
Qureshi, Yasmin
Rashid, Faisal
Rayner, Angela
Reed, Mr Steve
Rees, Christina
Reeves, Ellie
Reeves, Rachel
Tom Brake (Carshalton and Wallington) (LD): On a point of order, Mr Speaker. You will be aware that on today’s Order Paper there is a Liberal Democrat amendment to extend from two to three days the debate on the Lords amendments. I understand the reasons why it has not been possible to vote on that amendment today. However, can you advise me on how in future it will be possible for this House to secure adequate time to debate critical amendments, take back control and avoid situations such as the one we are likely to face today where, by Government design, there will be no time at all to discuss critical Northern Ireland amendments and critical devolution amendments? [Interruption.]

Mr Speaker: First, I say to the right hon. Gentleman that a lot of these matters will still be able to be debated—whether they will be divided upon is another matter. Secondly, in response to those who were muttering from a sedentary position that he was eating into the time, let me say that simply as a matter of fact that is not correct. He is not eating into the time, for the simple reason that the Clerk has not yet read the Orders of the Day—we have not yet got to the start of the six hours. It is therefore quite wrong for people to say that the right hon. Gentleman is eating into the time—it is factually wrong and that is all there is to it.

Thirdly, I realise that the right hon. Gentleman regrets the course of events, but the passage of the programme motion has set in train a course of events and that is the reality of the matter. The only remedy would be for the House to divide upon fewer questions in the first group, but in relation to that I say simply two things to him and for the benefit of the House. First, on the merits of such a course of action—having fewer votes earlier—there would be different opinions in the House. Secondly, as he knows, such a remedy lies outside my hands.

Question accordingly agreed to.
Mr Speaker: I must draw the House’s attention to the fact that financial privilege is engaged by Lords amendments 3, 13, 18, 22, 72, 103 and 121 to 124.

Mr Speaker: With this it will be convenient to discuss the following:
Lords amendment 128, and Government motion to disagree.
Lords amendment 37, and Government motion to disagree.
Lords amendment 39, and Government motion to disagree.
Lords amendment 125, and Government motion to disagree.
Lords amendment 19, amendment (a) thereto, Government motion to disagree, amendments (i) and (ii) to Government amendment (a) in lieu, and Government amendments (a) and (b) in lieu.
Lords amendment 52, and Government motion to disagree.
Lords amendment 10, and Government motion to disagree.
Lords amendment 43, and Government motion to disagree.
Lords amendment 45, and Government motion to disagree.
Lords amendment 20, and Government motion to disagree.
Lords amendments 11 to 14, 18, 21 to 23, 44, 47, 102 to 107, 112, 113, 115 to 119, 121 to 124, 126, 127, 130 to 134, 136 to 140, 142 to 148, 150, 152, 154, 156 to 158, 171 and 172.

Mr Davis: Let me start with the obiter dictum that there is a difference between eating into time and exhausting patience.

Over nine months, across both Houses, we have debated more than 1,000 non-Government amendments and hundreds of Government amendments to the Bill. Before us today are 196 Lords amendments—the outcome of hundreds of hours of debate in the other place. I beg your indulgence, Mr Speaker, in paying tribute to my ministerial team who have brought the Bill this far: my hon. Friends the Members for Wycombe (Mr Baker) and for Worcester (Mr Walker), my hon. and learned Friend the Member for South Swindon (Robert Buckland), my hon. Friend the Member for Esher and Walton (Dominic Raab) and my right hon. Friend the Member for Aylesbury (Mr Lidington); and, in the other place, Baroness Evans, the Leader of the House of Lords, and her team—Lord Callanan, Lord Keen, Baroness Goldie, Lord Duncan and Lord Bourne. I extend the same thanks to Opposition Front Benchers.

It is worth at this early point remembering that the Bill has a simple, clear purpose: to ensure that the whole United Kingdom has a functioning statute book on the day we leave the European Union. That involves the considerable task of converting 40 years of EU law into United Kingdom law. This is an unprecedented task, carried out under a strict timetable.

The Government respect the constitutional role that the House of Lords has played in scrutinising the Bill and, whenever possible, we have listened to sensible suggestions to improve it. However, when amendments seek to—or inadvertently—undermine the essential purpose of the Bill, which is to provide for a smooth and orderly exit, or the referendum result, we must reject them. For example, on the interpretation of Court of Justice of the European Union case law, we have worked closely with former Law Lords such as Lord Hope, Lord Judge, Lord Browne, Lord Neuberger and Lord Thomas to develop a solution that has genuinely improved the Bill. Our other Lords amendments represent the outcome of similarly productive discussions. The role of the House of Lords is clear: to scrutinise legislation that comes from this House, not to recast it or repurpose it. Of course, it should not undermine decisions that were put before the British people in manifestos or in referendums.

The House of Commons’ improvements to the Bill span a number of areas, ranging from narrowing the types of deficiencies that can be corrected using the delegated powers in the Bill to bolstering the rights of individuals by extending the ability to bring certain challenges under the general principles to three months after exit day. I will address in turn the main issues covered by this group on which the House of Lords has asked this House to think again but where their lordships’ approach has either undermined the essential purpose of the Bill, or attempted to overrule well-considered amendments from this House.

The first such area is the sifting system proposed in this House by my hon. Friend the Member for Broxbourne (Mr Walker), the Chairman of our Procedure Committee. The proposal was that a committee would consider instruments subject to the negative procedure that were brought forward under the main powers in the Bill, and could recommend that they be subject to the affirmative procedure instead. This unanimous recommendation of the cross-party Procedure Committee was clearly born out of careful and detailed consideration by that Committee, and the Government were happy to accept it. My hon. Friend’s amendments were agreed by this House following an extensive debate.

What we have back from the other place—Lords amendments 110 and 128—is both an imposition on our procedures by the other place and a threat to the workability of the whole process of correcting the statute book. This is for two important reasons. First, a binding recommendation following the sifting process is not a recommendation at all—it is an instruction to the Government that would mark a significant departure from established procedures for handling secondary legislation. It is equally unacceptable, as the Chair of the Procedure Committee has noted, for the opinion of
a Committee of the unelected House to govern procedure in this place. The Commons Procedure Committee’s proposals have teeth. As my hon. Friend the Member for Broxbourne said in December:

“The political cost to my Front-Bench colleagues of going against a sifting committee recommendation would be significant. The committee will have to give a reason why it is in disagreement, the Minister will be summoned to explain his or her Department’s position, and it will be flagged up on the Order Paper if a particular SI has not been agreed between the sifting committee and the Government. That will result in a significant political cost.”—[Official Report, 12 December 2017; Vol. 633, c. 266.]

He was right.

Secondly, although I understand concern about the pace at which committees will be required to operate, an extra five sitting days, as the Lords propose, would risk taking the process for a negative statutory instrument into what might well be its fifth or sixth calendar week. That would seriously jeopardise our ability to deliver a functioning statute book in time. For our part, the Government are poised to do everything we can to support the speedy work of the sifting committees. On a slightly wider point, I understand that the House of Lords wants to improve the Bill in various ways. Some of its changes can individually seem sensible and proportionate when seen in isolation, but the cumulative effect of those changes could sometimes make it impossible to deliver the smooth and orderly exit we want.

I turn now to the question of exit day. After considering the issue at length, this House accepted amendments tabled by my right hon. Friend the Member for West Dorset (Sir Oliver Letwin) that set exit day in the Bill, but allowed that time to be altered in the unlikely event that the exit date under article 50 differed from that written into the Bill. That is a sensible approach. It provides certainty about our exit day, but it also incorporates the terms of article 50. Let us remember that exit day will be determined by international law rather than by this House.

We discussed this issue at length when we considered the Bill that became the European Union (Notification of Withdrawal) Act 2017. Their lordships have suggested that this House abandons the conclusions of the lengthly and considered debates that we have already had on this issue by returning the Bill in broadly the same state in which it was first introduced. I accept the helpful scrutiny of the Lords on many aspects of the Bill, but this House has already reached a sensible position, which commanded a significant majority, and we propose to adhere to this House’s original decision on this matter.

At the heart of the Bill are the delegated powers that are essential for the United Kingdom’s orderly departure from the European Union. Those powers will ensure that the statute book continues to function as we leave the European Union. As we have consistently said, we do not take the powers lightly, which was why, in addition to the changes approved by this House, we made further amendments in the Lords. When using the principal powers in the Bill, Ministers must now give their good reasons for the changes they are making, exactly as the Lords Constitution Committee recommended. We have introduced further safeguards by preventing the powers in the Bill from being used to establish public authorities. We have also removed the international obligations power from the Bill entirely, as it has become clear that there are better and more effective ways to ensure that the Government’s international obligations continue to be met than through the use of that power.

That means that the approach before us is substantially different from what we first introduced, while still protecting the core purpose of the Bill. This reflects the fact that the Government have listened to the views of Parliament throughout the Bill’s passage, but we cannot accept Lords amendments 10, 43 and 45, which replace “appropriate” as a reason for using the powers to “necessary”. This House has accepted the premise of the Government’s approach to delivering a functioning statute book—specifically, that we will preserve and incorporate EU law, and then make the appropriate corrections via secondary legislation. Given the scale of the task and the speed necessary, that could never have been done through primary legislation, but at every turn we have sought to ensure proper parliamentary scrutiny.

Given that that fundamental premise has been supported, there needs to be sufficient flexibility for Ministers to propose changes that might not be strictly considered necessary, but that everyone here would think appropriate. “Necessary” is not a synonym for sensible, logical or proper; it means something that it is essential to do.

Joanna Cherry (Edinburgh South West) (SNP): Does the Secretary of State recall that on page 21 of the original White Paper on the great repeal Bill, the Government pledged to make changes to retained EU law by delegated legislation only “where necessary”? Does he accept that if this House does not accept the Lords amendments, the Government will be breaking the pledge that they made in their original White Paper?

Mr Davis: With great respect, the hon. and learned Lady is a lawyer, and she knows that the words in an Act of Parliament matter, and matter very precisely, rather more than an individual word—[Interruption.] They matter very precisely. Let me explain why.

As I said, “necessary” is not a synonym for sensible, logical or proper. In many cases, changes such as correcting inconsistencies, changing terminology, removing redundant provisions, or improving clarity and accessibility could be left unmade, even if the consequences were perverse. That is not the best outcome for businesses or individuals across the United Kingdom. I do not believe that their lordships intended to constrain our ability to change the names of documents such as European aviation documentation. Nor do I think that they intended to require us to use cumbersome terms such as “national regulatory authorities of member states”, and then to have to designate our national regulators underneath that. That would be an inefficient way of making Ofcom the regulator for our open-access internet legislation, for example. This will be UK law, applied only in the UK. It would be confusing to businesses and individuals to keep laws that suggest otherwise, but such changes, while appropriate, might fail the “necessary” test.

Mr Dominic Grieve (Beaconsfield) (Con): I understand the point that my right hon. Friend is making, but I have to say that I am not sure that I agree with him. I think that all the examples that he has given would meet the necessity test without any difficulty at all. Where the
necessity test provides a higher bar is that if it were thought that a Minister was using powers to change legislation in a way that was not necessary, he would be prevented from doing so. My right hon. Friend cites examples, but I just do not think that the test would be a problem for a Minister at all.

Mr Davis: My right hon. and learned Friend, as I have known for a long time, is a very good lawyer, but I am afraid that other lawyers disagree quite seriously.

The Lords amendments effectively increase the risk of judicial review. What that does—[Interruption.] This is an incredibly serious point, because that process asks judges to make a policy decision that this House should be making by saying yes or no to a statutory instrument. It really is as simple as that.

Mr Kenneth Clarke (Rushcliffe) (Con): I am rather sorry that my right hon. Friend is so distrustful of judges on what are essentially procedural or constitutional matters, but could he define “appropriate” to me? It is one of those vague words that I suspect means “if the Minister feels that he or she wants to, one way or the other”. A decision could almost certainly not be challenged by judicial review, because the word is so wide and vague that there is no conceivable argument that could be raised to challenge the Minister’s opinion. We cannot take powers in that way meaning that the Government are able to legislate on matters that will be important to some individuals entirely at a Minister’s uncontrolled discretion.

Mr Davis: I hear my right hon. and learned Friend—and old friend, because we are still capable of having a dinner for two hours and not talking about Europe throughout it; in fact he paid, and it was lunch.

The simple fact is that we are not just leaving this to a single word. As I said earlier, the House of Lords Constitution Committee looked at the matter, in the context of this Bill and the sanctions Bill, and said that we should require the Minister to give “good reasons”—that was the test—which is what we have proposed in our amendment.

Ms Angela Eagle (Wallasey) (Lab): Will the right hon. Gentleman give way?

Mr Davis: If the hon. Lady will forgive me, I will make a little progress, because I am quite sure that my next section will provoke quite a lot more interventions than the last one.

Let me turn to Lords amendment 19 and parliamentary approval of the outcome of the negotiations. This is the Hailsham amendment, which Lord Bilimoria described in the other House as the “no Brexit” amendment. What it amounts to is an unconstitutional shift that risks undermining our negotiations with the European Union. It enables Parliament to dictate to the Government their course of action in international negotiations. [Interruption.] Labour Members ask what is wrong with that. Well, I will read them a quote from Professor Vernon Bogdanor, who is not exactly a well-known leaver, but he is a constitutional expert. He described this at the weekend as “a constitutional absurdity” that “would weaken the position of Britain’s negotiators.” I agree with him that this is not practical, not desirable and not appropriate.

1.30 pm

Chuka Umunna (Streatham) (Lab) rose—

Mr Davis: I give way to the hon. Gentleman who has campaigned long on this issue.

Chuka Umunna: I am very grateful to the Secretary of State for giving way. What the Lords amendment seeks to do is to reassert parliamentary sovereignty such that this House approves and gets to vote on every scenario that can be conceived of in terms of the way that we withdraw from the European Union. On the Secretary of State’s amendment, may I ask him a factual question? I am not asking him whether or not he thinks we will be in a situation where there is no deal. I am simply asking him this: is it not the case that his amendment to Lords amendment 19 gives his Government a passport to take this country out of the European Union with no deal, with this House having had no say on it whatsoever?

Mr Davis: I start by saying to the hon. Gentleman that I respect his point of view. He has the honesty to say that he would like us to stay in the European Union irrespective of the referendum result. Although I disagree with it, it is honest position to take. But what he describes as giving the Government the right to take us out of the European Union under, frankly, any circumstances was article 50, which was passed by this House and the other House by a very large majority, so I am afraid that he is not right in that respect.

Wes Streeting (Ilford North) (Lab) rose—

Mr Davis: I will give way in a moment.

It is accepted practice that Governments negotiate treaties, and this was the case for the European Communities Act 1972, the Lisbon treaty, the Nice treaty, the Amsterdam treaty and the Maastricht treaty. I do not remember any argument over Parliament undertaking those treaties from people who today argue that this amendment is appropriate.

Frank Field (Birkenhead) (Lab) rose—

Mr Davis: I give way to the right hon. Gentleman. I do hope the Whip’s Office was not responsible for his injury.

Frank Field: I hope that our Whip’s Office is kinder than the Government’s Whip’s Office will be in getting this measure through.

Mr Speaker, I hope to catch your eye in a moment to talk about what the effects on the Labour vote will be in those constituencies that voted to leave, but on this crucial issue, is it not true that if we pass what the Lords want us to do, we, as Aneurin Bevan said, will be sending our negotiators back naked into the negotiating room? The European Union will know that the Government are beaten and that it can then impose any terms whatsoever on them.

Mr Davis: The right hon. Gentleman makes a very good point. It is certainly the case that the European Commission reads every newspaper in Britain, particularly the Financial Times and The Times. It reads them all, but, more surprisingly, it believes them. The simple
We need to know that.

the European Union and the World Trade Organisation?

between the deal that might be struck with the European

meaningful vote. Is a meaningful vote going to be

giving way. It is not clear what the choices are on a

I am very grateful to the right hon. Gentleman for

we do will be organised to allow reversal of the result of

refuse to consider the motion. Anyone who suggests

providing that the withdrawal agreement cannot be ratified

unless both the agreement and the future framework

have been approved by a motion of this House. It also

prevents the agreement from being ratified unless an

Act of Parliament has been passed to implement it. This

is all before the Constitutional Reform and Governance

Act 2010 as well. Therefore, this is in addition to the

Government’s commitment to introduce the withdrawal

agreement and implementation Bill if Parliament votes

in favour of a final deal.

Angus Brendan MacNeil (Na h-Eileanan an Iar) (SNP):

I am very grateful to the right hon. Gentleman for giving way. It is not clear what the choices are on a meaningful vote. Is a meaningful vote going to be between the deal that might be struck with the European Union on the current status quo, or a deal struck with the European Union and the World Trade Organisation? We need to know that.

Mr Davis: People keep using the phrase “meaningful vote”. What it conceals in some cases, and I suspect that that is the case for the hon. Gentleman, is that they want to reverse the result of the referendum, and nothing we do will be organised to allow reversal of the result of the referendum.

Stephen Hammond (Wimbledon) (Con): Will my right hon. Friend give way?

Mr Davis: I will give way in a moment.

The Government have also made provisions to allow the vote to happen in this House before the European Parliament votes on the deal, as long as it is practical. This follows the spirit of the Lords amendment, but our proposal has some significant differences. First, we have attached a deadline to the Lords’ consideration of a motion on the final deal. It is not right that the Lords could have a veto on the deal simply by filibustering or refusing to consider the motion. Anyone who suggests that this is unlikely should consider that it was a concern raised by their lordships’ themselves in debate.

Stephen Gethins (North East Fife) (SNP): Will the right hon. Gentleman give way?

Mr Davis: Not for the moment, no.

Secondly, we have removed Parliament’s power to give binding negotiating directions to the Government. As I have said, this would represent a profound constitutional shift in terms of which branch of the state holds the right to act in the international sphere. I turn again to Vernon Bogdanor, who said:

“Parliament’s role is to scrutinise legislation and policy; 650 MPs, still less 800 peers, cannot themselves negotiate.”

Mr Jacob Rees-Mogg (North East Somerset) (Con)

rose—

Mr Davis: I will give way in a moment.

Instead, we have provided that, in the event that Parliament rejects the deal put to it, the Government will be legally obliged to make a statement on their proposed next steps in relation to article 50 negotiations within 28 days of that rejection. This House would of course then have plenty of tools at its disposal to respond, but I am as confident as ever that we will secure an agreement that this House will want to support.

Stephen Hammond: I think that everybody in this House would accept my right hon. Friend’s proposition that we cannot bind the negotiations, but clearly the point of concern, which he is getting to now, is this: if there were no deal, does the amendment in lieu cover that circumstance? If it does not, how does he propose to deal with that?

Mr Davis: If there were no deal for some reason other than the House rejecting it—it is incredibly, almost implausibly, unlikely, but let us imagine that the Government decided that they would not have a deal at all—we would of course do the same thing and come back and make a statement to the House, and the House would then have the right to respond.

Mr Grieve: I am grateful to my right hon. Friend for giving way. I recognise some of the problems that he has and why the Government came forward with their amendment in lieu, and some of the deficiencies that can be identified in the Lords amendment. But the simple fact is that the Government have not made provision for no deal, and there is a way of doing it. The amendment that I have tabled provides a mechanism for doing that. One of the key issues for me at the end of this afternoon will be whether we make some progress on having a proper structure to address no deal. I do not think that this Bill can finish its course and get Royal Assent until we have that.

Mr Davis: I thank my right hon. and learned Friend for his view on this. He sort of expressed it in an amendment that he tabled late last night, so I only saw it this morning. I have not really had a lot of time—

Well, this is an interesting demonstration of the Labour party’s perception of how easy it is to make constitutional law on the fly. Its own voters will come to a view on that.

Let me say this with respect to my right hon. and learned Friend’s proposed amendment—as he knows, I am always open to have a conversation with him on this although he seems to have fallen foul of my telephone security system—I always want to keep three principles in mind. First, we must never do anything that undermines
the Government’s negotiating position, or encourages delays in the negotiations. That is very, very important. Secondly, we cannot change the fundamental constitutional structure, which makes the Government responsible for international relations and international treaties.

Sir Edward Leigh (Gainsborough) (Con): Will my right hon. Friend allow me?

Mr Davis: In a moment.

We cannot do that. This constitutional structure has stood for hundreds of years and many thousands of treaties. As I said earlier, nobody suggested for a moment that the House of Commons should negotiate the Maastricht treaty, the Lisbon treaty, or one or two other controversial treaties that came before the House. We cannot change that structure now, on this basis.

Wes Streeting: Will the Secretary of State give way?

Mr Davis: Not for the moment.

Thirdly, we must—under all circumstances—respect the result of the referendum. That is what this House voted for when it voted on article 50. I am very happy to talk to my right hon. and learned Friend the Member for Beaconsfield (Mr Grieve) again in the next day or two, and we can discuss how we can meet his concerns in that time, within those principles.

Sir Edward Leigh: Is not the kernel of the problem that all the amendments tabled by my right hon. and learned Friend the Member for Beaconsfield (Mr Grieve) and others make no deal more likely, because they give every incentive to the European Commission not to agree to a deal? The amendments would bind the Government and we would end up with the worst possible result. Therefore, they should be resisted.

Mr Davis: My hon. Friend goes to the heart of the problem, which is that we have to consider that anything passed in this House and the other House will have a very serious effect on the negotiating strategy of the other side. I hope that this House will recognise that the Government have taken a fair and positive approach to the new clause, retaining those elements that are sensible and viable, while removing those elements that are practically and constitutionally untenable. These constitutional and practical concerns also apply to Lords amendment 20, on a mandate for negotiations on the future relationship. The Government cannot demonstrate the flexibility necessary for a successful negotiation if their hands are tied mid-way through that process. That will do nothing but guarantee a bad deal for Britain. It is for the Government to set the direction during the negotiation. That is the key point.

I do not need to remind the House about the importance of this legislation. The purpose of this Bill is to maintain a functioning and effective statute book when leaving the European Union—a statute book that people and business can rely on. That is what our approach will deliver.

Matthew Pennycook (Greenwich and Woolwich) (Lab): May I start by paying tribute to my right hon. and learned Friend the Member for Beaconsfield (Mr Grieve) again in the next day or two, and we can discuss how we can meet his concerns in that time, within those principles. I respect my hon. Friend’s argument and his long-held views, but I have to fundamentally disagree. None of their lordships’ amendments seeks to frustrate the Brexit process in any way or to allow this House to overturn the referendum result.

Wes Streeting: I am very grateful to my hon. Friend for giving way, and pay tribute to the work that our Front-Bench Brexit team in this House and in the Lords have done to improve the Bill. The Secretary of State was not courageous enough to take my intervention, so may I ask my hon. Friend what does more to harm the Bill than what he has done to improve it. We are now left with the worst possible result. That is what our approach will deliver.

Mr Davis: My hon. Friend goes to the heart of the problem, which is that we have to consider that anything passed in this House and the other House will have a very serious effect on the negotiating strategy of the other side. I hope that this House will recognise that the Government have taken a fair and positive approach to the new clause, retaining those elements that are sensible and viable, while removing those elements that are practically and constitutionally untenable. These constitutional and practical concerns also apply to Lords amendment 20, on a mandate for negotiations on the future relationship. The Government cannot demonstrate the flexibility necessary for a successful negotiation if their hands are tied mid-way through that process. That will do nothing but guarantee a bad deal for Britain. It is for the Government to set the direction during the negotiation. That is the key point.

I do not need to remind the House about the importance of this legislation. The purpose of this Bill is to maintain a functioning and effective statute book when leaving the European Union—a statute book that people and business can rely on. That is what our approach will deliver.
spectacle of Ministers resigning because their own Government are too intransigent to listen to the constructive and sensible direction on Brexit that many of us would like them to pursue?

Matthew Pennycook: My hon. Friend makes a good point. There is nothing more damaging. As the Secretary of State himself said, the EU monitors with great interest developments in this House and what is said across the country. It sees the open warfare and disagreement in the Cabinet and the Foreign Secretary continually undermining the Prime Minister's approach.

Frank Field: Will my hon. Friend give way?

Matthew Pennycook: That is absolutely right, and I thank my hon. Friend for that point.

Frank Field: Some people in this House have been quite clear that they want to prevent Brexit. Others disguise that fact with the very careful construction of terms. In the Lords, where there are no constituencies to vote Members out—sadly—people have been more honest. Surely my hon. Friend was wrong to say that there was nobody in the Lords who was saying that this was actually a “stop Brexit” vote; we have already heard a quotation. The aim was to prevent Brexit; the Lords have no responsibility to anybody and they said that that was their aim.

Matthew Pennycook: I have to disagree with my right hon. Friend's point. I did not say that there were no lordships that do not intend to block Brexit, just as there are hon. Members in this House for whom that is the intention. But the aim of the Lords amendments, as they are designated, is not to frustrate Brexit. There is no majority in this House for overturning the referendum result, as my right hon. Friend well knows. It is disingenuous to say that that is the aim of this amendment.

Mr Speaker: Order. I know that the hon. Gentleman is not accusing any individual Member of being disingenuous—I [Interruption.] I need it to be clear that that is not the case. Would the hon. Gentleman be good enough just to confirm that he is not making any such suggestion?

Matthew Pennycook: I am happy to clarify that.

Mr Speaker: That is good enough. The hon. Gentleman may continue.

Matthew Pennycook: Thank you, Mr Speaker. As I was saying, the choice that faces us under the Government's amendment is between the draft withdrawal agreement, even if it is found wanting, and the hardest of departures—the most disorderly exit. Let us remind ourselves of what that would mean: legal chaos, significant damage to our economy, the erection of a hard border in Northern Ireland and serious harm to Britain's standing in the world. That is why in Committee we tabled new clause 66, which would have guaranteed both Houses a vote on the motion on the terms of withdrawal—and, just as critically, a vote in the event that no such agreement is reached.

Angus Brendan MacNeil: Will the hon. Gentleman give way?

Matthew Pennycook: I am going to make a bit of progress. However, we also recognised in Committee stage that there were other requirements needed to ensure that Parliament has a meaningful vote, one of which is the need for a vote on a statute. That is why we supported amendment 7 in the name of the right hon. and learned Member for Beaconsfield (Mr. Grieve) and other hon. Members—an amendment that ultimately passed in this House by 309 votes to 305. That amendment took a slightly different approach in that it was quite deliberately
aimed at restricting the use of, and limiting the potential abuse of, the extensive and wide clause 9 power in the Bill as it then stood.

Sir William Cash (Stone) (Con): Would the hon. Gentleman care to reflect on the fact that the decision to transfer the vote to the people was done quite deliberately and voluntarily by this House by six to one, as a sovereign Act of Parliament? Any attempt to reverse that is in defiance of the decision that was taken by Act of Parliament.

Matthew Pennycook: The hon. Gentleman makes the same point as many others have done, and I have dealt with it in saying that their lordships’ amendment is not about overturning the referendum result. [Interruption.] No, it is not—not at all. It is about giving Parliament a say in shaping the direction under one scenario that could well occur.

Angus Brendan MacNeil: Would it not be one of the most supreme ironies of this entire Brexit debacle if, at the end of it, the European Parliament has a meaningful vote and 27 member states have a meaningful vote, but the state that is leaving—and leaving in a state—does not have a meaningful vote?

Matthew Pennycook: The hon. Gentleman makes a good point. The Commission cannot approve the deal on the European Union side until the European Parliament has given its consent, and if it does not give its consent, the Commission cannot move on and ratify.

Ms Angela Eagle: My hon. Friend is absolutely right. That is the choice that faces every hon. Member in the Chamber today when we come to vote on Lords amendment 19.

Richard Graham: If such a scenario were to occur—this is the important point; I take head on what the hon. Gentleman has said—it would be for Parliament, although we are talking about any unknown number of hypothetical situations at that point, to direct the Government by resolution. Is he saying that Parliament would come forward and support a resolution to overturn the referendum result? There is no way that that could happen. He knows that there is no majority for that in this House.

Matthew Pennycook: If any of those situations at that point, to direct the Government by resolution. Is he saying that Parliament would come forward and support a resolution to overturn the referendum result? There is no way that that could happen. He knows that there is no majority for that in this House.

Several hon. Members rose—

Matthew Pennycook: I am going to make some more progress.

With their new clause, their lordships have developed the right hon. and learned Gentleman’s amendment 7 in its guarantee of a statutory vote and made explicit provision for what would happen if Parliament were not to approve the deal when it is put before us later this year. In those circumstances, under the provisions of their lordships’ amendment, it would be for Parliament, by resolution of this House—the Government having found time for that resolution—and subject to consideration in the other place, to give direction to the Government about how then to proceed. It is not about Parliament taking over the negotiations or about stripping Ministers of their authority to make decisions.

Richard Graham: The hon. Gentleman said earlier that no Lords amendment is intended to frustrate the result of the referendum, but amendment 19 says very clearly that Her Majesty’s Government “must follow any direction in relation to the negotiations…approved by a resolution of the House of Commons, and…subject to…a motion in the House of Lords.” That is entirely transferring responsibility for the aims and the detail of everything we negotiate to Parliament and away from the Government. Can he name any precedent for that in the whole history of this nation?

Matthew Pennycook: If any of those situations at that point, to direct the Government by resolution. Is he saying that Parliament would come forward and support a resolution to overturn the referendum result? There is no way that that could happen. He knows that there is no majority for that in this House.

Several hon. Members rose—

Matthew Pennycook: No, I am going to make some progress.

The aim of this amendment is to establish a clear process, with appropriate deadlines, by which Parliament can approve the outcome of the article 50 negotiations, and to provide clarity on what should happen if a majority of hon. Members in this House come to the conclusion that the final deal the Government return with is not good enough for the country.

Several hon. Members rose—

Matthew Pennycook: I am not giving way; I will make some progress.

The amendment is about ensuring that in a scenario where this House rejects the withdrawal agreement, Parliament does not then simply become a passive spectator to what happens next but instead secures a decisive role in actively shaping how the Executive then proceed.

Gareth Snell (Stoke-on-Trent Central) (Lab/Co-op): My hon. Friend has said that supporting this amendment would not necessarily lead to a resolution of this House saying that we wish to maintain membership of the
European Union. Can he explain, for the purposes of clarity, what safeguards are in place to prevent such a thing from happening, given that we cannot bind Parliaments and that, as such, if we vote for this amendment, we could resolve to tell the Government that re-entry is the point of the negotiation?

Matthew Pennycook: My hon. Friend is dealing in hypotheticals. Under that scenario, it might be the case that an hon. Member tries to bring forward a resolution, and that the Government provide time, but does he believe, realistically, that such a resolution could pass and would command a majority in this House? It would not.

This is not about frustrating Brexit. Ministers know full well that there is no majority for that in this place, and it is disingenuous, as I said, to argue as much. Lords amendment 19 is about trusting this sovereign House of Commons to do what is right for the country.

Joan Ryan (Enfield North) (Lab): Does my hon. Friend agree that it is Government’s job to bring forward policy and Parliament’s job—the Commons, in particular—to legislate? It seems to me that far from taking back control or establishing sovereignty, the Government appear to want to deny Parliament its fundamental role as legislator.

Matthew Pennycook: My right hon. Friend makes a good point.

Lords amendment 19 is about trusting this sovereign House of Commons to do what is right for the country should it come to pass that the Government bring back the House of Commons to do what is right for the country.

Charlie Elphicke (Dover) (Ind) rose—

Matthew Pennycook: I will not give way.

By contrast, the Government’s amendment (a) in lieu of amendment 19 would guarantee precisely the opposite. It would ensure that in the event that this House does not approve the withdrawal agreement, Parliament would have almost no role whatsoever.

Mr Marcus Jones (Nuneaton) (Con) rose—

Matthew Pennycook: I am not going to give way at this point.

Yes, the amendment provides for a statutory guarantee of a vote before the withdrawal agreement is put on the statute book, but it removes from the Bill what their lordships deliberately chose to insert: provision for the legislature to constrain Ministers in deciding to crash us out of the EU without a deal should Parliament choose to reject the deal. What does the Government amendment offer in its place? It offers provision to send a Minister back to the House within 28 days with a statement—a statement!—as to how the Government intend to proceed: a commitment that does not go much beyond what was set out in the written ministerial statement that was hurriedly issued on 13 December in a last-ditch attempt to thwart the House in voting for the right hon. and learned Gentleman’s amendment 7.
likely to crash out without a deal and not deliver the pragmatic common-sense Brexit that I think he and I would like to see.

Matthew Pennycook: I disagree with the hon. Gentleman. Crashing out of the European Union without a deal is exactly what this amendment is designed to prevent. [Interruption.] Yes, it is.

Kevin Hollinrake (Thirsk and Malton) (Con): Will the hon. Gentleman give way?

Sir Mike Penning (Hemel Hempstead) (Con): Will the hon. Gentleman give way?

Matthew Pennycook: I said that that was the last intervention; I am not giving way again.

I want to turn briefly to the amendment tabled yesterday evening by the right hon. and learned Member for Beaconsfield. We welcome it as a significant improvement on the Government’s amendment in lieu. His amendment is a clear acknowledgment that the Government’s amendment is deficient, that there is a need to make provision for a scenario in which Parliament does not approve a motion on the withdrawal agreement and that this House may need to insist on a decisive role for Parliament in what we all acknowledge would be an unprecedented situation.

We recognise that the right hon. and learned Gentleman has, throughout this process, been at great pains to secure a consensus around how this complex legislation can be improved in the context of the many challenges that the Government face. In taking such an approach, his and his colleagues’ intent has not been, as many have suggested and as is plastered across the front of many of the tabloids today, to sabotage the will of the people or betray their country. They are simply trying to secure what the vast majority of hon. Members of this House desire: a proper process codified in law that ensures that the right decisions are made at the right time and that Parliament has the tools to hold the Executive to account effectively on some of the most significant decisions any of us will be asked to take.

Albert Owen (Ynys Môn) (Lab): Will my hon. Friend give way?

Matthew Pennycook: I am not going to give way; I am going to conclude.

The question of what form parliamentary approval of the withdrawal agreement takes is one of the most significant decisions this House will have to take. To be meaningful, a vote cannot simply take the form of a binary “take it or leave it” choice. It must provide a means by which Parliament can indicate to the Government that it desires a re-examination of particular aspects of the draft withdrawal agreement or even a change of approach. Unless hon. Members insist on it, Parliament will not have a genuinely meaningful vote on the terms of our withdrawal, as this House insisted upon in December. That is why we must insist on it and why I urge hon. Members to agree with Lords amendment 19 when we go through the Division Lobby in a few hours.

I want briefly to turn to some of the other Lords amendments in this group, starting with Lords amendments 37, 39 and 125, with which we agree. We remain of the view that amending the Bill to incorporate a specified exit day and time was an ill-conceived and unnecessary gimmick that unduly letters the Government. Ministers are well aware, just as they were when they amended the Bill in Committee, that exit day for the purposes of the Bill is a very different matter from the actual date on which the UK will cease to be an EU member state, which is a settled matter and a legal certainty. Common sense dictates that we return to the situation before November in which there was a necessary degree of flexibility around exit day for the purposes of the Bill, although we agree with their lordships that it is Parliament, not Ministers, who would agree the various exit dates.

We agree with amendments 110 and 128, which we believe strengthen parliamentary scrutiny—for example, by ensuring that Ministers cannot overturn decisions made by the triage committee. We also agree with amendments 10, 43 and 45, which rightly circumscribe the scope of the sweeping delegated powers in the Bill. We debated that issue extensively in Committee, and we remain of the view that concerns about the subjectivity inherent in the word “appropriate” must be addressed. Lastly, we agree with amendments 20 and 52.

I know that many Members on both sides of the House wish to speak, so I have sought not to repeat or rebuff every argument made about each of the Lords amendments in this group with which we agree, but simply to set out, with particular focus on Lords amendment 19, why we believe they must be retained.

Andrew Bridgen: Will the hon. Gentleman give way?

Matthew Pennycook: I am not going to give way at this stage.

The amendments in this group are, at their core, about what we, as hon. and right hon. Members, believe the role of Parliament should be in the Brexit process. They are about ensuring that Parliament plays an active role in shaping our country’s future, rather than accepting that the House of Commons is to be little more than a spectator and a passive observer to one of the most important decisions that has faced our country in generations. They are about ensuring that the withdrawal agreement cannot be ratified unless we approve it and, in the event that we do not approve it, that the UK cannot crash out of the EU by ministerial fiat. They are ultimately about reasserting the primacy of the House of Commons, so that this House, should the situation arise, is able to do what is right for our country.

Mr Kenneth Clarke: Thank you for calling me, Mr Speaker. I will try to be as brief as I can. Everybody knows that that is an effort for me, but I really will try to be positively terse where I can, and I am afraid that if I give way at all, it will be very briefly. That is only right, because the programme motion we have just passed, which I voted against, allows just three hours for debate on this whole group. I am well aware that hundreds of Members will find it almost impossible to get in, and therefore if I abuse the privilege you have given me, Mr Speaker, I should cause a great deal of damage to the quality of the debate.

First, let me say that I have never known an issue of this importance to be taken in this way. I remember being in debates on the European Communities Bill
back in 1972 and in debates all the way through Maastricht, when there were hours and hours of debate and repeated votes before the approval of this House was obtained. Nobody throughout would have dreamt of arguing that as part of the process, the House of Commons could be excluded and the Government could be given an absolute privilege to proceed. Such a suggestion would have been treated as a complete absurdity.

Sir William Cash: Will my right hon. and learned Friend give way?

Mr Clarke: I will not, I am afraid, because had the suggestion been put to my hon. Friend during the Maastricht debates that if the Government got defeated on a resolution, they could take it over on their own and let Parliament know in due course what was going to happen, I do not think he would have welcomed it. I understand that we are in a different position.

Sir Edward Leigh: You’ve got to give way to him now; you’ve mentioned him.

Mr Clarke: I thought my hon. Friend and I had debated this quite long enough for everybody already, but I will give way to him.

Sir William Cash: Will my right hon. and learned Friend explain whether he believes it is possible, with the meaningful vote, to manage to maintain the Brexit process, to reverse the Brexit process, and furthermore, to use a certain expression, that it is meaningful vote is actually to reverse the Brexit process, the meaningful vote, to manage to maintain the Brexit process.

Mr Clarke: I am grateful to my hon. Friend—he is a genuine personal friend, and always has been—and he has brought me to the point I was moving on to.

This debate is being dominated, as far as the Brexiteers are concerned, by the argument that the amendment on the meaningful vote—Lords amendment 19, as amended by my right hon. and learned Friend the Member for Beaconsfield (Mr Grieve)—is really an attempt to get around the referendum. For the past several months, I have found that I am told on practically every subject, when the details get a little difficult and the argument gets a little odd, “Ah, you’re not accepting the will of the people.” I first faced that when I opposed our withdrawal from Euratom, and I still do not believe that the public voted for that.

For the avoidance of doubt, as I have repeatedly made clear, I was on the losing side in the referendum—much as I regret it—but after the majority on article 50, we are going to leave the European Union. I have not joined the campaigns to have a second referendum, and I hope I do not live to see another referendum on such an important subject in my lifetime. The fact is that the key decision was then taken, but I will not go back over the quality of the debate and the arguments put forward by the leading figures on both sides that then dominated the national media.

Once the decision was taken by this House, on invoking article 50, that we are leaving, hundreds and hundreds of detailed questions arose about what new arrangements we are going to have for our relationships with the European Union on a huge range of subjects, some of which we have scarcely looked at at the moment, and for our relationships with the rest of the world, because all our trade agreements are based on the European Union as that is how we have entered into them for the past several decades.

The idea that the yes/no vote—leave or remain—on referendum day actually decided each and every issue that now arises, if I may say so to people for whom I actually have respect, is, frankly, intellectually lazy. It is a refusal to engage with what we are actually talking about. I realise that many of the public are exasperated. The prevailing mood among the public is, “What are they all doing, and why don’t they get it over with?” I am sorry about that, but the fact is that leaving poses a lot of questions. I do not think that most members of the public feel that their vote decided the issues we are talking about today in relation to parliamentary scrutiny and control. I am only guessing, but if we had said, “Of course, if you vote leave, you are giving the Government the absolute right to do what they wish in the negotiations and come to whatever agreements they want,” I do not think it would have been easy for my right hon. and hon. Friends to get a majority for such a proposition.

Let me get on to what we are really talking about, because I have already taken longer than I wished. As I have said, any suggestion that Parliament should hand over absolute discretion to any Government to handle such things would have been treated with absolute outrage, not the usual cheers and counter-cheers, expressed to any Minister who dared to do so. It is said—the hon. Member for Bassetlaw (John Mann) is persuaded by this, but I do not agree with him—that the next argument we will face is, “Well, what you’re saying is that the House of Commons should take over the negotiations.” Of course we are not. I quite agree that that is a ridiculous proposition.

The Lords amendment was proposed by my right hon. and learned Friend Lord Hailsham. As we are all aware, he and others gave a lot of thought to putting together a parliamentary process that would be practicable and workable; the drafting might be improved, but the Government could have done that if their lawyers thought it was worth while. My right hon. and learned Friend had in mind that a further resolution would be required, but this second resolution, after the proposed settlement had been rejected, would of course be moved by a Minister. The amendment tabled by my right hon. and learned Friend the Member for Beaconsfield makes that even clearer. The idea that we would have a mass meeting of 650 people to decide what resolution to put forward is not postulated in the Lords amendment, and nobody is suggesting that.

2.15 pm

Mr Mark Harper (Forest of Dean) (Con): Will my right hon. and learned Friend give way?

Mr Clarke: No, I have taken too long already. I apologise to my right hon. Friend.

The Government would of course be in a bit of a dilemma—I imagine we would all be even more excited than we have been for the past few days—but the fact is that they would have to go away and work out what
resolution to bring forward that would carry the House of Commons. I assume that would be a continuation of the negotiations, but the House of Commons would demand that its approval was sought for the next turn in the negotiations, and the directions in which they would go, to satisfy its objections. I regard that as a perfectly serious proposition.

The public debate on the whole question of Brexit has largely been ridiculous—not just in the Daily Express, but in many other areas—but in this place we actually need to take seriously what we are doing not only for the future prospects of generations of our citizens, but for the constitutional position of this House. We have already given up all kinds of things that I have always taken for granted. I have never known such a weak Parliament for allowing things to get through, ending with the latest timetable resolution, but to take the Government’s amendment would be the ultimate in doing so.

With this amendment, the Government have had to accept the decision of the House when we successfully defeated them before Christmas. They have had to come back and set out a better process of parliamentary approval before ratification. The big question then is: what if the Government reject it and there is no deal? In the House of Lords, the Minister was quite clear in resisting the amendment: “Oh, this meaningful vote is going to be deal or no deal—take it or leave it.”

Andrew Bridgen: Yes.

Mr Clarke: “Yes,” says my hon. Friend behind me. That is what he wants.

Andrew Bridgen: Will my right hon. and learned Friend give way?

Mr Clarke: No, I will not give way.

It would be a yes/no vote. Members may not like the deal, but if they vote against it, all they will get is no deal. The result is that, whatever deal they come forward with, only a handful of my right hon. and hon. Friends would vote against it, because they do not want any deal at all, but they are an absolutely tiny minority in this House of Commons.

What do the Government say in their amendment that the House will be faced with? The amendment says that, within 28 days, a written statement will be produced. It will be one of the piles of written statements we have every day, and—dare I suggest it?—not every Member of Parliament usually bothers to go through those piles of written statements every day. [Interruption.] Well, obviously I am exceptionally negligent in not doing so. What is the written statement going to say? It could say, “Well, in that case, as there’s no deal, we’re leaving.” or, “Well, we’re going to do this, and that’s it—that’s the end of the parliamentary process.” It might as well say, “O House of Commons, get lost!” This is a wholly inadequate response to the votes we will have had in Parliament.

Several hon. Members rose—

Mr Clarke: No, I want to make two more points. I will now be very brief, and I will not expound on all the points I would have expounded on.

The argument that we are undermining the Prime Minister’s position in the negotiations is equally ridiculous. It is based on the proposition that, out on the continent, people do not know that there are divisions in the Cabinet or what the situation is in the House of Commons, and were a whisper to get out about some slightly unusual votes in the House of Commons, this would undermine the position of my right hon. Friend the Secretary of State and the Prime Minister and make that position much weaker.

I suspect that the feeling among those on the continent at the moment is that they are utterly bewildered by the Anglo-Saxons and that they have no idea what we think we are doing. They are not hostile to this country; they are waiting for us to make up our minds about what we wish to negotiate before the negotiations start. All the other Governments have to get the approval of 27 national Parliaments. What they are watching is an attempt by the real zealots in this House to stop this Parliament playing any part in the process, which is totally unacceptable.

The time has come to say that all Government policies on any subject, great or small, depend on the ability to command a majority in the House of Commons on the key principles and the direction in which the country is going. I will certainly vote on that basis and I hope that the Government regret the rather intolerant response and all the pressure they have been applying on my right hon. and learned Friends in trying to resist such an obvious proposition.

Peter Grant (Glenrothes) (SNP): Thank you for calling me, Mr Speaker. It is always a daunting prospect to follow the right hon. and learned Member for Rushcliffe (Mr Clarke), although I am grateful to him on this occasion for warming up the audience a wee bit.

I do not often go along with the tradition of spending the first part of a speech being enormously grateful for getting the chance to speak in this place. After all, speaking here on behalf of our constituents is the absolute right of all Members. Today, however, it is appropriate for me to acknowledge that I am one of the privileged few because I will get to speak today and, who knows, perhaps even tomorrow, whereas the vast majority of elected Members in this place will not have a chance to speak at all.

If we all got an equal say over the next couple of days, every MP would speak for about 10 seconds—and no, I am not going to call time on myself just yet. Each of the amendments, many of them vital for the future, would be debated for about three minutes. In reality, most MPs will not be called and we will be asked to vote on amendments that have never been before this House and that will literally not even be mentioned by name, rank or serial number in the debate because there will not be time. Anybody who believes that that is an example of participative democracy at its best needs to get out of here and spend some time reconnecting with the real world.

The programme motion that the Government got through today is an absolute travesty of democracy, following days and days on which the business collapsed and the Government were inventing things to talk about because they did not have the political courage to bring this Bill or umpteen other Brexit-related Bills before the House. The idea that we can give proper consideration to 160 or 170 amendments in effectively nine or 10 hours...
of debate is utterly laughable. It is an indication of how far the hard Brexiteer propagandists and sloganisers have parted company from any kind of rational logic that they and, indeed, many in the Government denounced the Lords for approving 15 amendments that the Government did not like, while welcoming the fact that those self-same Lords approved 166 amendments that the Government asked them to approve. One hundred and sixty-six amendments were requested by the Government, and 15 by the rest of the world, and it is the rest of the world who are the villains and the enemies of democracy in this.

It was inevitable but deeply disturbing to see how the battle lines have been drawn on the front pages of some so-called newspapers, and I know that there was a point of order on this exact point earlier today. Their lordships are the “traitors in ermine”, the “enemies of the people”, as, indeed, are judges in the Supreme Court, for daring to do the job that they are there to do. I am not a fan of the unelected House of Lords, but they are there for a purpose and, whether we agree or disagree with the way in which they have discharged their purpose, the abuse that has been heaped on them in the past few weeks is utterly uncalled for and has no place in any kind of civilised debate.

Ian Murray (Edinburgh South) (Lab): The hon. Gentleman is right to suggest that, rather than deriding the House of Lords, we should be thanking them for introducing 15 sensible amendments and that the Government should also be thanking them for making hundreds of their own amendments because they made such a Horlicks of the Bill in this place in the first place.

Peter Grant: The hon. Gentleman makes a valid point. It seems like the definition of an enemy of the people is not based on where they take the decisions but on whether the decision finds favour or disfavour with Her Majesty’s Government. That is not democracy, Mr Speaker. We are heading to dictatorship if someone’s integrity or patriotism is judged on whether or not they agree with the minority of people who sit on the Government Front Bench.

As I have said, and I shall come back to this later, I am not a fan of the House of Lords. I do not think that it is a democratic institution, but it is not the real threat to our democracy. The real threat to such democracy as we have in these islands does not come from people who disagree with what I say or with what the Government say but from those who use terms such as “traitor” or “enemy” to denounce anybody who holds or expresses a view that differs from their own.

This weekend, we will mark the second anniversary of the murder of one of our colleagues. Possibly the last words she heard in this life were “death to traitors”. Surely, in the name of God, we should know that, when we allow the language of hatred to become normalised, the actions of hatred will follow. Today, someone has pleaded guilty to planning to murder another of our colleagues. I say to colleagues on all sides that we can disagree passionately and fervently with each other, but please get the language of violence out of the vocabulary of this debate and of all debates, not just in the few days before we remember Jo’s sacrifice but every day thereafter, so that Jo and others did not die in vain.

As I have mentioned, the SNP are not fans of the House of Lords, but when the House of Lords has passed amendments to turn a bad Bill into a slightly less bad Bill, we will seek to retain those amendments. Let us be clear that, even with those amendments, this is still a bad thing. It will be damaging to all our interests, but if we can make it the least bad thing that we possibly can, we will have achieved something.

John Redwood (Wokingham) (Con): Is the hon. Gentleman saying that the SNP’s official position is that we should stop Brexit outright?

Peter Grant: I am not quite sure how to break this to the right hon. Gentleman, but nothing would please me more than to allow his country to implement the decision that its citizens have taken and for my country to be given the right to implement the decision that the people of my country took.

We support the removal from the Bill of a purely arbitrary and symbolic exit day; it does nothing to improve our chances of getting a less damaging deal and makes the prospect of a cliff-edge no deal more likely. It was agreed to only because the Prime Minister was too weak at the time to stand up to the hard-line minority in her own party, who are a vanishingly small minority across the House of Commons as a whole. Recently, the ubiquitous “sources close to the Prime Minister” have been working very hard to spin the line that she is now prepared to face down some of the extremists in her party. May I suggest that she would make a good start by facing them down by supporting the removal of an unnecessary exit day from the Bill and supporting that Lords amendment?

The amendments to change “necessary” back to “what the Minister deems appropriate,” I am flummoxed by the idea that it needs to be put into legislation that a Minister only does things that they think are appropriate. Do the Government seriously think that their own Ministers will do things that they think are inappropriate? I know that they do things that I think are inappropriate all the time, but imagine having legally to prohibit them from doing things that they thought were stupid, rather than trying to stop them from doing things that everybody else thinks are stupid.

The Secretary of State, who obviously has much more important things to do than staying to listen to the defence of his legislation, told us twice that “necessary” is not a synonym for logical, sensible or proper. The trouble is that the entire Bill is written on the assumption that Her Majesty’s Government are a synonym for logical, sensible or proper. The problem is that the entire Bill is written on the assumption that Her Majesty’s Government are a synonym for logical, sensible or proper. The problem is that the entire Bill is written on the assumption that Her Majesty’s Government are a synonym for logical, sensible or proper.

The Government do not have a monopoly on logic, good sense or propriety. A Government who lost their overall majority in this place at the demand of the people of these islands should surely have the humility to accept that sometimes, just sometimes, when the ermine-coated lords along the corridor disagree with them, they have got it right and the Government have got it wrong.

2.30 pm

We will support amendments that seek to guarantee Parliament has a meaningful choice and a meaningful vote on the final deal. This gets presented as somehow
usurping the decision of June 2016, but who among us can genuinely claim to have the right to decide whether a final deal, whatever it says, properly delivers the Brexit that people voted for? None of us can because nobody voted for any particular kind of Brexit. They voted for a Brexit. There was not a public vote on membership of the customs union. Nobody voted to leave the single market. Nobody voted to leave Euratom. Nobody voted to damage the United Kingdom economy. People voted for a departure from the European Union. There has been no public vote on the kind of Brexit we should have. The reason there was no referendum on the single market or the customs union is that the Conservative party thought it politically expedient to deny the public that choice.

Mr Alister Jack (Dumfries and Galloway) (Con):
The hon. Gentleman confirms that he and his party want to keep Scotland in the European Union. Can he confirm to me whether he wants to keep Scotland in the common fisheries policy as well?

Peter Grant: Certainly not, as currently constituted. If there were a common fisheries policy that actually protected Scotland’s fishing industry, instead of it being used by successive UK Governments as an excuse to sell it out, that might be a different matter.

There has of course been a public vote on the possibility of one of the consequences of a hard Brexit: a hard border across the island of Ireland.

Angus Brendan MacNeil: Is my hon. Friend aware that the front page of today’s Financial Times refers to a shortage of doctors? The Tories in Scotland have the cheek to blame the Scottish National party for the lack of doctors, when they are the ones not giving them the visas to get in to the country. The Tories sold out fishing once and then twice. They told us that they would not accept fisheries in the transition agreement and now they are talking as if they are saving the fisheries—the people who have sold out fishermen twice!

Peter Grant: Few of us can speak on the fishing industry with such knowledge and authority as my hon. Friend.

The nearest we have had to a public vote anywhere on any of the consequences of a hard Brexit was the public vote against the possibility of a hard border across the island of Ireland. The people of Northern Ireland and the people of the Republic of Ireland overwhelmingly rejected such a notion when they endorsed the Good Friday agreement and, of course, the people of Northern Ireland, the only people in the United Kingdom who would be affected by a hard border, voted to remain in the EU. How can anyone argue that the best way to give effect to those votes is for decisions to be taken by the EU. How can anyone argue that the best way to give effect to those votes is for decisions to be taken by the EU.

Sir Mike Penning: The hon. Gentleman has been very generous in giving way. Surely we cannot ignore a referendum that was voted for by this House. The people made a decision and we cannot go against that decision. To say that perhaps they did not realise what they were doing when they voted to leave the European Union is an insult to the electorate.

Peter Grant: I never suggested that, although it is perhaps worth remembering that at least one of the right hon. Gentleman’s own colleagues, a Conservative MP, has admitted that they did not vote in the referendum because the question was too hard for them to understand. I wonder how many other people were in the same position. There is a big, big difference between not fully understanding and being stupid. It is an insult for Conservative Members to suggest that anyone who admits they did not fully understand it, or still do not feel they understand it, is stupid.

My comments were not based on suggesting that people did not understand. My comments were not based on suggesting that people did not understand. My comments were not based on suggesting that people did not understand. My comments were not based on suggesting that people did not understand. My comments were not based on suggesting that people did not understand. My comments were not based on suggesting that people did not understand.
be given the chance to make that statement to their constituents suggests that an awful lot of them think that such a statement may be needed. They think that we will get to the end of the process and a large number of MPs will want to go back to the people and say, “I'm sorry. I supported it this far but I cannot support it any longer because I can see the damage it will cause.” I will leave that for Members to think about. I do not expect anybody to be persuaded just now, but I appeal to Members to think about that over the next wee while. It is fundamental to the nature of the representative democracy we have in this place.

Of course, it goes without saying, on the other amendments the SNP will be supporting, that, in this partnership of equal nations, the elected Parliaments of all the equal nations must have a say on the final deal. They must have a much greater say than they have had up until now. With the contempt shown for the devolved nations through the process so far, it is difficult to believe that the intention has been anything other than inflammatory.

Mr Simon Clarke (Middlesbrough South and East Cleveland) (Con) rose—

Geraint Davies (Swansea West) (Lab/Co-op) rose—

Peter Grant: I will not give way because I know a number of people who did not support the programme motion will struggle to get in.

The mantra of the “most powerful devolved Parliament in the world” has never been true, but it sounds even more hollow if that “most powerful devolved Parliament in the world” can be stripped of its powers by a party that never wanted it to have those powers, never wanted it to exist in the first place and are intent on acting not just against the majority view of the Parliament of Scotland but against the majority view of Opposition Members of the Parliament of Scotland.

In their continued belief that they and only they are the guardians of common sense, the Government are determined to force this place to have a binary decision on whether we accept the final deal. This is the same Government who keep telling us that the customs union is not a binary decision, the single market is not a binary decision and controlling immigration is not a binary decision. The only time it is a binary decision is when they have to make a decision. The Government are determined that the final decision this Parliament will have to take on what the future will be is “take it or leave it”. For some of us, other futures are available. The Government would do well to reflect on that fact before it is too late. If the only choice they offer is take it or leave it, they may find that the people of Scotland, the people of Wales and the people of Northern Ireland will interpret take it or leave it in a very different way from that which the Government intend.

Several hon. Members rose—

Mr Speaker: Order. I remind the House of what it knows, namely that the time available for this debate is very limited. I want to accommodate as many right hon. and hon. Members as possible, so we will begin with a limit on Back-Bench speeches of 10 minutes, although it is not obligatory to take the full allocation of time.

Sir Edward Leigh: I agree with the hon. Member for Glenrothes (Peter Grant) that we should use the language of respect. I, for one—and many of my colleagues, I am sure—would never use words such as “traitor”. We all accept that there are very different views in this place, but this is not the EU negotiating Bill. It is not a Bill designed from its inception to give the Government guidance about what sort of deal we should have. I thought —this has been explained to us many times by the Government—that this Bill was simply to try to transform and transfer, in an orderly way, EU laws into our legal system. That was what I understood the Bill to be; it is not an EU negotiating Bill.

I said earlier that we should use the language of respect. I know that it is not in order to call any Member “disingenuous”, but I think that it is in order to call an argument disingenuous, and I do so now. I respect the House of Lords. I understand that it is not elected. I understand that it should try to improve legislation. I serve on the Procedure Committee, and when the Committee considered these matters, there was a detailed debate on the sifting committee and I could understand how the House of Lords can try to improve how we deal with legislation. That seems entirely sensible and credible, but many of us suspect that these amendments, particularly Lords amendment 19, are designed not to improve the legislation or to improve the sifting process by which we transfer these laws, but to frustrate the whole process.

John Redwood: My hon. Friend will remember that we had many hours of debate and decisive votes before we sent the article 50 letter. That was the point when Parliament made up its mind to back the referendum. We cannot keep chopping and changing.

Sir Edward Leigh: I agree with that. As I was saying, although it is perfectly in order for the other place to try to frustrate it, I think that Members of the elected House should start to get worried. Lords amendment 19 is very clear in saying:

“Her Majesty’s Government may implement a withdrawal agreement only if Parliament has approved the withdrawal agreement and any transitional measures... Her Majesty’s Government must follow any direction in relation to the negotiations under Article 50...”

and so on. What would be the result of that amendment? I say to colleagues that we are not just acting in a vacuum. What would be the result if we fail to overturn this amendment from the other place?

Layla Moran (Oxford West and Abingdon) (LD): Will the hon. Gentleman give way?

Sir Edward Leigh: No.

Antoinette Sandbach (Eddisbury) (Con): Will my hon. Friend give way?

Sir Edward Leigh: My hon. Friend takes a very different point of view from me, so in all courtesy, I give way, but this must be the last time I do so.
The amendment debated by the right hon. and learned Member for Beaconsfield (Mr Grieve) deals with the issues that he is raising?

Sir Edward Leigh: No, I do not agree. I talked to my right hon. Friend the Brexit Secretary earlier today. He simply said—he does understand these things—that all the amendment tabled by my right hon. and learned Friend the Member for Beaconsfield (Mr Grieve) would do would be to implement what the House of Lords wants to do in fewer words, so I do not accept that, I am afraid. We have to bite this bullet now. We have to support the Government and reject the amendment.

As I was asking, what would be the result—we do not operate in a vacuum—if the House of Lords had its way? Of course it would be a catastrophe for the Government. There would be banner headlines in every single newspaper tomorrow saying that the Government had been defeated and that the whole Brexit momentum was in danger. Much more important than that—this is why I think the argument is disingenuous—is the fact those who support the House of Lords are dressing up their arguments in terms of parliamentary sovereignty. It is in order, is it not, for Parliament to debate and amend a Bill, as the House of Lords can do? That is what we do all the time, but what the Lords really want to do is to create a situation in which the whole process is frustrated.

2.45 pm

As has been said again and again, we ourselves voted six to one to transfer this decision from ourselves—uniquely in our history—to the people. They decided to leave. The decision had to be made and Members then voted overwhelmingly. Virtually every single Labour and Conservative Member voted not only to accept the result, but to implement article 50. We have taken the decision. We are a sovereign Parliament. We have made the decision, but we had given that decision to the people.

I go back to my argument about what would happen if the House of Lords had its way and the Government lost this afternoon. Opposition Members are, of course, entitled to cause confusion in the Government ranks. I accept that they may have their own motives, but I appeal to my hon. Friends: what would be the result to our Government if we lost this vote today? It would be a catastrophic blow. I return to the question that I put to my right hon. Friend the Secretary of State earlier: what would the European Commission think of that? My right hon. and learned Friend the Member for Rushcliffe (Mr Clarke) had a bit of fun about this. He said, “Oh, of course the European Commission knows that there are some arguments and debates.” It would be an open invitation to the European Commission to pave the way for this catastrophic situation in which there is no deal, because it knows that if there is no deal—if there was going to be a disorderly exit—the House of Commons could unpick the whole process, block Brexit and, as the hon. Member for Stoke-on-Trent Central (Gareth Snell) said, reopen the whole process.

Mr Kenneth Clarke: These arguments were put—almost as forcefully as my hon. Friend is putting them—when we had our debates before Christmas in Committee. This House then passed an amendment on a meaningful vote, defeating the Government. People had foreseen that that would undermine the Prime Minister, cause an election and represent a crisis, but the next morning, apart from the fact that there was now to be a meaningful vote, nothing stirred. The position of the Prime Minister was not weakened and negotiations have not been hindered. My hon. Friend is putting his arguments with his usual great eloquence, but, with great respect, they avoid what we are really talking about, which is the important process of parliamentary accountability.

Sir Edward Leigh: I am afraid that my right hon. and learned Friend was not listening to his own speech. Was I not listening—was I not two or three feet away from him—when he said that the amendment that we passed earlier was not going to make much difference to the whole process? It was like giving a statement, was it not? What we are talking about is completely different. This really is the ultimate wrecking amendment, and it is not the wrecking of parliamentary sovereignty; it is the wrecking of the will of the people and democracy. There are so many compromises that we all have to make. There are so many things that I do not understand about this negotiating process, and about how we have got stuck on the hook of Ireland, the backstop, “max fac” and all these other things, but the essential thing is this: the people want us to leave the EU. They want to regain control of their borders and they want us to be out of the European Court of Justice. All this Bill does—it is not the EU negotiating Bill—is simply to implement the will of the people. Parliament, do not stand against the people! Implement their will.

Sir Vince Cable (Twickenham) (LD): Many Members will today be speaking under pressure or while considering different interests. Some will be observing what the hon. Member for Streatham (Chuka Umunna) called the Churchillian principle of accountability and thinking clearly about our consciences and judgments, while others will be concerned about the will of the people as expressed by their own or other people’s constituents, or by parts of the UK such as Scotland that are distinct. Others will be thinking about their party and—dare I say it?—some may even consider the views of their party Whips. People will come to different conclusions and weigh these things differently, and the most vocal people will be those who are not necessarily balancing them with the greatest difficulty. We should respect those on both sides who are struggling to reconcile these different pressures.

We are weighing up a difficult constitutional matter, and two constitutional questions are wrapped up in Lords amendment 19. One is about how we reconcile the rights of a plebiscite with those of Parliament—we have debated that many times, and the hon. Member for Gainsborough (Sir Edward Leigh) was very unambiguous about where he stands—and the other is about how we balance the rights of the Executive with those of the legislature. We have debated that in different contexts. A few weeks ago, we were talking about exactly how to weigh war powers and accountability.

Lords amendment 19 takes us forward in one crucial respect with regard to the so-called meaningful vote. It gives additional clarity. It might be better had we taken the wording proposed by the right hon. and learned
Sir Vince Cable: Member for Beaconsfield (Mr Grieve), but the amendment does give clarity, and it would not have the exaggerated consequences that some have predicted, as was set out very sensibly by the right hon. and learned Member for Rushcliffe (Mr Clarke).

Andrew Bridgen: Does not the right hon. Gentleman concede that when Lord Bilimoria introduced Lords amendment 19, he said that it had the ability to stop Brexit? Will the right hon. Gentleman not concede that this is a wrecking amendment?

Sir Vince Cable: The House would have to vote in that way, fully conscious of what it was doing. We just have to wait and see how the House chooses to proceed. The overall effect of the Lords amendment is clearly to—

Andrew Bridgen: Stop Brexit.

Sir Vince Cable: No, but stopping Brexit is one option we need to consider.

Although Lords amendment 19 takes us forward, it would not, as the right hon. and learned Member for Rushcliffe just explained, have the damaging consequences anticipated by many exaggerated predictions. It would not necessarily undermine our negotiating position.

The EU countries have their own legislation to consider and have already made it clear that their objective is a smooth, quick, clear Brexit. Anything that might cause major disruption—if they were unfair to the UK, for example—and therefore lead to Parliament’s rejecting the deal would not necessarily be in their interests, and they would, I am sure, reject that.

The crucial point, which is made in the article by Professor Bogdanor that the Brexit Secretary has quoted at length, is that whereas the amendment is a necessary step, it is not sufficient, and that is because Parliament cannot overthrow the judgment of the people in a referendum. The article is quite clear about that, and so are the Liberal Democrats, although we approach this referendum in quite a different way. The article is quite clear about that, and so are the Liberal Democrats, although we approach this referendum in quite a different way.

The crucial point, which is made in the article by Professor Bogdanor that the Brexit Secretary has quoted at length, is that whereas the amendment is a necessary step, it is not sufficient, and that is because Parliament cannot overthrow the judgment of the people in a referendum. The article is quite clear about that, and so are the Liberal Democrats, although we approach this referendum in quite a different way. The article is quite clear about that, and so are the Liberal Democrats, although we approach this referendum in quite a different way.

Our amendment (a) to Lords amendment 19 expresses our concern that the House should have a meaningful vote, to go back to the people and then accept the result of that vote. Were there to be a vote on the final deal, I would accept it fully, and I would then then work with people who support Brexit to make that work. If we continue on the present path, however, with a definition of Brexit that is narrow and specific, as in the Lancaster House speech—it was supposedly drafted by the Prime Minister’s then adviser—and that many of us would not accept as a proper definition of Brexit, which the Prime Minister has pursued in a stumbling and incoherent way, we will not accept that, and we will not accept the result of the Brexit negotiations even after Brexit has taken place.

The public need to have a vote on the final deal at the end of the process.

Mr Speaker: Order. The right hon. Member for Twickenham (Sir Vince Cable) cannot give way; he has concluded his oration. We await the thoughts of the hon. Member for North West Norfolk (Sir Henry Bellingham) at a later stage, perhaps.

Mr Grieve: I was amused to discover that my right hon. Friend the Secretary of State was rather taken aback by the amendment I tabled late last night. I tabled it with his best interests at heart. Having spent last week understanding that he might imminently be joining me on the Back Benches and realising that Lords amendment 19, if endorsed by the Commons, might precipitate the same thing again, I thought I ought to do what I could to help him. That is why I tabled my amendment, in addition to the one he has tabled, in lieu of the Lords amendment.

I must tell the House that I really am worried: the irrationality of the debate on the detail of Brexit is truly chilling. A person opens their newspaper and discovers the House has impossibly gone back to the people about a deal that is already agreed by the House. This is not an extraordinary observation. Countries that rule by plebiscite, such as Switzerland, regard confirmatory referendums as a matter of course. The people vote and then the legislature and Executive review the matter. At the end, there is a confirmatory referendum to determine whether the people accept the proposal. There is no reason why that should present a problem. It is a matter of fundamental—

Several hon. Members rose—

Sir Vince Cable: I will complete my remarks and then let others contribute.

Our amendment (a) to Lords amendment 19 expresses that thought very clearly. I notice that the hon. Member for Bracknell (Dr Lee), who probably more than anyone else is reconciling these different forces today, has accepted that the logic of the position is not simply for the House to have a meaningful vote, but to go back to the people and then accept the result of that vote. Were there to be a vote on the final deal, I would accept it fully, and I would then then work with people who support Brexit to make that work. If we continue on the present path, however, with a definition of Brexit that is narrow and specific, as in the Lancaster House speech—it was supposedly drafted by the Prime Minister’s then adviser—and that many of us would not accept as a proper definition of Brexit, which the Prime Minister has pursued in a stumbling and incoherent way, we will not accept that, and we will not accept the result of the Brexit negotiations even after Brexit has taken place. The public need to have a vote on the final deal at the end of the process.

Sir Henry Bellingham (North West Norfolk) (Con) rose—

Mr Speaker: I think the right hon. Gentleman has completed his speech.

Sir Henry Bellingham: Will the right hon. Gentleman give way?

Mr Speaker: Order. The right hon. Member for Twickenham (Sir Vince Cable) cannot give way; he has concluded his oration. We await the thoughts of the hon. Member for North West Norfolk (Sir Henry Bellingham) at a later stage, perhaps.
the consent of our EU partners. There is, then, a complete constitutional incoherence in imagining that the Bill and the way it is presented somehow leads to that dastardly outcome.

Mr Jacob Rees-Mogg: My concern about my right hon. and learned Friend’s amendment is that it would change the constitutional balance and separation of powers. There is a perfectly reasonable way of ensuring that the Government do the proper thing, and that is a vote of no confidence. As long as the Government maintain the confidence of this House, they ought to be able to negotiate international treaties, but if they fail in their negotiations, the House has a remedy that has been a remedy for very many years.

Mr Grieve: I take my hon. Friend’s point, but I would like him to consider for one moment the last part of my amendment, new section 5C, which deals with what happens if, on 15 February 2019, we have no deal. His invitation would be for the House to express no confidence in the Government and to get rid of them. Can one imagine a more chaotic process than the triggering of a general election five weeks before we fall off the edge of the cliff?

Justine Greening (Putney) (Con): I agree with what my right hon. and learned Friend is saying. I think that, far from suggesting that his amendment was wrong, my hon. Friend the Member for North East Somerset (Mr Rees-Mogg) gave the very reason why it is sensible to adopt this structural process to deal with the different scenarios that the House may face.

3 pm

Mr Grieve: I agree entirely with my right hon. Friend. Let me explain. I did take on board the Government’s concerns regarding the Lords amendment, but I could see that the micro-management of their negotiating position after the autumn, if there were no deal, could present difficulties. My amendment sought to avoid that by doing two things. First, it sought to provide a mechanism whereby no deal, if there is no deal, must come to this House. That would provide great reassurance to all Members that there was a system in place to deal with the position. Similarly, there would be a system in place to deal with the rejection of a deal, and finally—and only then would there be a mandatory condition—a system that would operate if by February we were still faced with an impossible position of having no deal at all.

The Solicitor General (Robert Buckland): Of course I accept that my right hon. and learned Friend and other colleagues wish to discuss further the role that Parliament will play in all the Brexit scenarios that may present themselves to us. We cannot bind the negotiations, nor can we disrespect the referendum result, but—as my right hon. Friend the Secretary of State said in his speech—we do commit ourselves to meeting to see how we can build on Her Majesty’s Government’s amendment (a) in lieu today, ahead of the Bill’s stages in the House of Lords, and to meeting my right hon. and learned Friend tomorrow to make that important progress on what we have achieved today.

Mr Grieve: I take my hon. and learned Friend’s comments at face value, and I am most grateful to him for making them. He must understand, however, that, as usual when we reach this stage of a process, we face some difficult challenges. There is a Lords amendment, and if we agree to it, that is what will go into the Bill. Alternatively, we may endorse the Government’s approach and support the amendment in lieu. The Government could, I think, adopt my amendment; it is a rather arcane procedure, but they could include it. If they do not want to do that, however, I shall need some pretty cast-iron assurances that when the Bill returns to the Lords, with the Government’s amendment in lieu, we will implement significant parts of what I have put forward, because we cannot allow a situation in which there is no mechanism for dealing with no deal.

The Solicitor General: Overnight, I read my right hon. and learned Friend’s amendment (ii) to Government amendment (a) very carefully, and I think that there is much merit in the approach that he urges the House to adopt in subsection (5A). I need more time to think about the other parts of the amendment—[Interruption]—but by indicating my position on a key part of it, I am indicating that the Government are willing to engage positively ahead of the Lords stages.

Mr Grieve: Again, I am very grateful to my hon. and learned Friend, and let me say to the House that I do not think his views should be dismissed. I am conscious that if we are to make progress, we ought to try to do this by consensus. However, my hon. and learned Friend must also understand—as my right hon. Friend the Secretary of State must understand—the difficulty in which the House finds itself when faced with a choice of this kind. I have been through the same process in opposition and now in government. If the House makes the concession of allowing the dialogue to continue—and I can see the merit in that—it must be done in good faith. Let me say to my hon. and learned Friend that without that good faith, the other place will put the amendment back in, and the good will will be gone when the Bill comes back to this House.

The Solicitor General: I can give my right hon. and learned Friend that assurance. Everything that I do with him and other colleagues is always in good faith, and that will remain the case.

Mr Grieve: I am grateful to my hon. and learned Friend. I was glad to hear what he said about the principle—which, in my view, is entirely innocuous—that “Within seven days of a statement under subsection (4) being laid, a Minister of the Crown must move a motion in the House of Commons to seek approval of the Government’s approach.” That is not exactly rocket science. The second principle is that there must be a mechanism providing for a Minister to come to the House of Commons by a suitable date—and I think 30 November 2018 must be the one—in the event of no deal, so that the Government can tell the House how they intend to proceed and seek the approval of the House for that. I know that subsection (5C) causes my hon. and learned Friend much more difficulty. I understand the constitutional issue, and I will come to that before I finish my speech; but the reality is that without a
mechanism whereby the House can properly shape the crisis that will be enfolding us at the end of February if we have no deal, we will do it in an ad hoc way, which is likely to be infinitely more damaging to the wellbeing of the citizens of the United Kingdom than putting together a package that can be looked at now.

The Solicitor General: As usual, I am listening very carefully to my right hon. and learned Friend’s observations. They will form a clear basis for a formal set of discussions that we can start at the earliest opportunity ahead of the Lords—

Mr Speaker: Order. I do apologise, but the Solicitor General must address the House. This is not a private conversation with another Member, conducted sotto voce. I want the whole House to hear what the Solicitor General wants to blurt out, preferably briefly.

The Solicitor General: Of course, Mr Speaker. I was about to give a clear undertaking to use my right hon. and learned Friend’s comments as the basis for structured discussions ahead of the Lords stages. [Interrupt.]

Mr Grieve: I am grateful to my hon. and learned Friend. Obviously, the House will have to make up its mind about how it wishes to proceed, but, as I have said, there must be a proper understanding of the disquiet that is felt on both sides of the House.

Chris Bryant (Rhondda) (Lab): I know that the Solicitor General has spoken in good faith, but would it not be best for those discussions to take place in a forthright way, for us to vote with their lordships for their lordships’ amendment and for the Government to return to the matter in the House of Lords after the discussions?

Mr Grieve: I fear not. I think the reality is that if we accept the Lords amendment, that will be the end of the matter. That is the problem that we face in this House.

Mr Kenneth Clarke: Both my right hon. and learned Friend and I accept without hesitation the good will of our hon. and learned Friend the Solicitor General, who is doing his best to resolve the slightly odd situation that we are all in. I think that the majority of Ministers—although I do not know about my hon. and learned Friend—would give my right hon. and learned Friend the undertaking for which he is asking now, and that the majority of our party would be quite happy with an arrangement of the sort proposed in his amendment. However, all we can have is what we had in Committee—offers of good faith, discussions and earnest attempts—because our proposals will be vetoed by the hard-line Brexiteers in the Government.

Mr Grieve: I am grateful to my right hon. and learned Friend. I think that we will hear more about that as the debate unfolds.

Sir William Cash: Will the hon. Gentleman give way?

Mr Grieve: No. I am sorry.

Let me end by saying this. The idea that it is wrong, in a crisis, for Parliament to direct the Government what to do is plainly fallacious. It cannot be right. We are entitled to do that. Of course, if the Government do not want to do what we direct them to do, that is another matter.

Several hon. Members rose—

Mr Speaker: Order. We will have one more speech of up to 10 minutes, but then the limit will have to be cut, because I want to accommodate the maximum number of colleagues.

Hilary Benn (Leeds Central) (Lab): It is with some hesitation that I involve myself in the negotiation that the Government are clearly attempting to conduct with their own Back Benchers. I simply want to observe that this is the single most important amendment that we will be discussing today and tomorrow in relation to the role that Parliament should and indeed must play in determining what kind of Brexit happens.

I simply do not accept the argument that the Secretary of State and other Conservative Members have advanced in trying to suggest that this proposal is somehow illegitimate or improper, or is intended to overturn the result of the referendum. Is it improper for this House to decide that in leaving the EU, we wish to remain within a customs union with it? Is it improper for this House to decide that we wish to remain in a single market, or to continue to have the European arrest warrant system, or that we want to co-operate in future with our friends and neighbours on foreign policy, defence and security? If the answer to all those questions is no, it is not improper; this Lords amendment is about giving Parliament the ability to ensure it can exercise that judgment when the time comes. It seeks to make it clear who will be in control when we come to the end of the process: the Government can go away and negotiate, but they will have to win the consent of the House when they return.

The Government’s attempts to neuter the Lords amendment will not work for a number of reasons that have been set out already. I say to the Solicitor General that, frankly, we do not have more time, which is why this is the moment when we have to make the choice. Secondly, as has been clearly pointed out, it makes no provision for what happens in the event of there being no deal. The House is aware of what the consequence of no deal would be for the border in Northern Ireland, our trade, the rights of British citizens abroad and EU citizens here, future co-operation on security and many other matters.

Angus Brendan MacNeil: Given all that the right hon. Gentleman has been outlining, is it not fascinating that when Brexiteer MPs ask themselves about a vote on Brexit, they fear they will lose it and therefore that Brexit will be reversed? That displays no confidence in their argument at all.

Hilary Benn: I say to the hon. Gentleman that the British people have made their decision about the fact that we are leaving the institutions of the European Union in March next year, but it is for this House to decide the way in which we leave and the future of our relationship with our friends and neighbours, who will remain our friends and neighbours after we have left.

Several hon. Members rose—
Hilary Benn: I will not give way again as many other Members wish to speak.

The question is: who decides what happens next in the circumstances either of there being no deal or of Parliament rejecting the deal the Government bring back in October or November? In the event of a rejection I think it is pretty safe to assume that Parliament will, in moving an amendment to the motion asking for approval of the withdrawal agreement, set out its reasons why. Parliament might say for example that it declines to give approval to the withdrawal agreement because it makes no provision for the UK remaining in a customs union with the EU. In those circumstances, as many Members—including the right hon. and learned Member for Rushcliffe (Mr Clarke), the Father of the House—have made clear, it is perfectly reasonable for the House of Commons then to expect the Government of the day to go back to those with whom they have been negotiating. As always happens in negotiations, people come back and say, as the Chief Whip is now experiencing, “I’m really sorry, I have tried, but the Members will not wear it; we need to talk about doing something else.” It is perfectly reasonable for the House to do that; otherwise, as we have heard many times, the notion that we have somehow taken back control has no force whatsoever.

We need a mechanism that can enable the House to have its say both in the event of there being no deal because an agreement cannot be reached and in circumstances where the House of Commons says it does not accept the deal the Government have brought back.

3.15 pm

Members have spoken with real passion and concern—and we will no doubt hear from others subsequently—about this means of ensuring that Parliament can have its say. I read in the newspapers over the weekend about people asking, “Is this really the right time to be voting not with the Government and in support of the Lords?” While we could argue that in relation to the big question of whether we should remain in a customs union or the single market, because other opportunities to address the referendum. I hope very much that the House, with this House, whether we voted leave or remain in the EU. In those circumstances, as many Members—including the right hon. and learned Member for Rushcliffe (Mr Clarke), the Father of the House—have made clear, it is perfectly reasonable for the House of Commons then to expect the Government of the day to go back to those with whom they have been negotiating. As always happens in negotiations, people come back and say, as the Chief Whip is now experiencing, “I’m really sorry, I have tried, but the Members will not wear it; we need to talk about doing something else.” It is perfectly reasonable for the House to do that; otherwise, as we have heard many times, the notion that we have somehow taken back control has no force whatsoever.

We need a mechanism that can enable the House to have its say both in the event of there being no deal because an agreement cannot be reached and in circumstances where the House of Commons says it does not accept the deal the Government have brought back.

Chuka Umunna: The only opportunity.

Hilary Benn: My hon. Friend is correct: it is the only opportunity to make it clear to the Government that we intend to have our say when the negotiations have been concluded. This is the one chance that we have to exercise the sovereignty that we all believe properly rests with this House, whether we voted leave or remain in the referendum. I hope very much that the House, recognising that this is its one chance, will take that opportunity by voting later today for Lords amendment 19.

Several hon. Members rose—

Mr Speaker: Order. I am sorry to disappoint colleagues but do so in the spirit of maximisation: a six-minute limit now applies.

Anna Soubry (Broxtowe) (Con): I have never written a speech before and then had it typed out. Mr Speaker, and now I do not know why I bothered: not only have you cut the time, but you can see how the debate has advanced.

I am sorry but I am going to speak, as ever, frankly. This has got to stop; this is unseemly; this is the most important piece of legislation that this House has considered arguably since the second world war, and we sit here and watch a peculiar sort of horse-trading over the perfectly excellent amendment put forward by my right hon. and learned Friend the Member for Beaconsfield (Mr Grieve), who served in the Government for decades—[Interruption.] He served in the Government for a number of years, but he has served this party for decades and he has never rebelled once. I gently say to my hon. Friend the Member for Gainsborough (Sir Edward Leigh), who in just eight years rebelled 58 times, and to the Secretary of State for Exiting the European Union, who along with my right hon. Friend the Member for Chingford and Woodford Green (Mr Duncan Smith) rebelled in total 160 times, that we here understand the concept of being loyal to leadership and, indeed, being true and honourable to our principles—and I believe they are men of conscience and principle.

Let us look around us at what is happening. There are good men and women of great ability, and indeed courage, who are, unfortunately, no longer in our Cabinet, such as my right hon. Friends the Members for Ashford (Damian Green), for Putney (Justine Greening) and for Hastings and Rye (Amber Rudd)—all great people who have been lost from our deeply divided Cabinet. Never before have we had a Cabinet that is so divided, and with some of its most senior people, who hold the greatest offices of state, at every twist and turn, when our Prime Minister moves towards securing a Brexit that will serve everybody in our country—the most sensible of Brexits—both publicly and privately undermining her and scuppering her attempts. It simply has to stop, and the moment for it to stop is now.

I know absolutely that the Solicitor General is a man of great honour, whose word will always be true, but I say with the greatest respect to him that he is not the most senior person around today and it is not his decision. He knows that I say that as somebody with great respect and love for him. So where is the Secretary of State? All he has to do is accept the amendment of my right hon. and learned Friend the Member for Beaconsfield. If he does not, he will force Members who for decades have never before rebelled to go through a Lobby or sit and abstain, just as they did in the Lords—and who I will support in each and every one of those important amendments on the EEA and the customs union and amendment 19.

Those Lords were Members of this place once: they include a former Chief Whip, a former Deputy Prime Minister, more Secretaries of State than we could shake a stick at, a former Leader of the House and two former party chairmen. For decades they were always loyal to every leader. Meanwhile, there lurk some, I am afraid, who for decades have plotted and connived. They have got rid of leaders and anybody and anything that stood in their way, and they will continue so to do. Even if they are supported by Russian bots and their dirty money, they will do what they have had a lifetime’s ambition to do, which is to take us over the cliff into the hard Brexit that my constituents did not vote for. I will continue to represent my constituents. We reckon that overall 52% voted to leave, but the 48% who voted to remain have been put through a process and ignored. That has to stop. We have to come back together and we have to do the right thing.
I know and understand how difficult it is for many of my colleagues to go through the Lobby and vote against their party, but I say this: I am getting a little tired of the right hon. and hon. Members on the Back Benches, in government and even in the Cabinet who come up to me and others in quiet and dark corridors; of the British businesses that demand private meetings in which they lay bare their despair but refuse to go public; of the commentators who say to me, “You’re doing a great job. Keep on going,” in the face of death threats which have meant that one of our number has had to attend a public engagement with six armed undercover police officers—that is the country that we have created and it has got to stop; and of the journalists who fight nobly for every cause but on this most important of issues are mute. It has got to stop. Everybody now has to stand up and be true to what they believe in.

Finally, Mr Speaker, I hope you will give me time to find and read out some great words:

“The House is made up of 651 robust individuals whose position gives them a powerful say in what the Executive can and cannot do. The powers of the House are sovereign and they have the ability to upset the best-laid plans of Ministers and of Government, which no Minister ever forgets, and nor should any Back Bencher.”

Those words were true then, and they are true now. They were spoken by the Secretary of State for Exiting the European Union. Accept the amendment!

Mr Chris Leslie (Nottingham East) (Lab/Co-op): The right hon. Member for Broxtowe (Anna Soubry) has spoken with passion and clarity and above all she knows what the electorate might do in the future—but who knows what the electorate might do in the future—but he is using his judgment and making an assessment about what is in the best interests of his constituents, and that is greatly to be respected.

I was fascinated to hear the exchange between the right hon. and learned Member for Beaconsfield (Mr Grieve) and those on the Government Front Bench a moment ago. It seems to me that the obvious solution would be for the Government to signal that they will accept the amendment in lieu tabled by the right hon. and learned Gentleman—

Sir Edward Leigh: Will the hon. Gentleman give way?

Mr Leslie: No, I am not going to give way. There are lots of others who want to speak—[Interruption.] No, sit down.

If the Government were to accept the amendment, and if the House were to approve that—as it would, because this would be done by consensus—that issue would then go to the House of Lords. Through the discussions that would subsequently take place there, it might be amended or tweaked in some way, and there would then be an opportunity for the other place to send it back here for final confirmation. However, if the right hon. and learned Gentleman were simply to take the word of Ministers on this question—I understand that that sometimes happens—the leverage of this House could be lost if those discussions came to naught.

Mr Grieve: We have to be realistic, and there is an issue here. If the Government wanted to accept the entirety of the amendment, that could probably be done this afternoon and that would be the amendment that went back to the Lords, incorporated in theirs. In fairness to the Government, I have always appreciated that there might be some tweaking to be done. I understand that. Having said that, does the hon. Gentleman agree that there needs to be some certainty that the substance of this amendment will come with the acceptance of the Government in the other place?

Mr Leslie: That is right, and a bird in the hand is worth two in the bush. I suggest that it is far better to have that amendment in the Bill as it goes to the other place, which may decide to tweak or change it following discussions. That seems to reflect what feels like the majority view in the Chamber today on the need for a sense of certainty that something will be done. This is not just a matter of one Minister, because a Minister’s word can be given and then changed—

Sir William Cash: Will the hon. Gentleman give way?

Mr Leslie: No, I will not give way.

Ministers can come and go, but we across this Chamber need that level of certainty. We of course accept the fact that there will be further discussions. The question about taking back control was put to us consistently throughout the referendum. As someone was saying earlier, we obviously cannot call hon. Members hypocrites, but we can point out the hypocrisy in general of the argument of those who might have said in one breath that we should take back control and then had the audacity to come here and say, “Oh well, the UK Parliament clearly has to be cut out of this issue altogether.”

I know that we were all elected in 2017 on a mandate drawn up subsequent to the referendum. Our mandate, collectively, has a value, and we should not diminish that and pretend that we should be cut out of this process altogether when there are so many things at stake.

This is not a binary question, and I do not believe that the British people voted to take back control from Brussels only to give that control unilaterally and in its entirety to the Prime Minister and her friends. This is a matter for us, and our constituents would expect nothing less than for us to say, “Hang on a minute, what about our jobs in the manufacturing sector? What about the car industry? What about those who work in the financial services sector?” All the people working in those sectors have the right to expect us to do our job with due diligence.

The right hon. and learned Member for Rushcliffe (Mr Clarke) has rightly pointed out that we could find ourselves in a situation in which no deal is reached because the discussions and negotiations have collapsed. There is no certainty that the motion would then come forward. When the Secretary of State was intervened on and asked what would happen if no deal were to materialise, he said that the Government would come forward with a statement. When he was asked how the Government were going to prevent us from falling over the cliff, no answer was forthcoming. This is an incredibly important point. We have a duty to safeguard our constituents from harm. That harm could affect not only their
livelihoods and their jobs but all the revenues that taxpayers pay towards our public services. So if we care about our NHS, we have to ensure that there is a safeguard in place. If we care about schools and council services, we need this insurance policy in place. We should not go through such a crucially important issue without those particular safeguards.

Mr Jim Cunningham (Coventry South) (Lab): Does my hon. Friend recall that, during the general election, the Prime Minister said that she was being obstructed in Parliament and needed a big majority? Well, she got her answer at that election. Coming back to another point that my hon. Friend has made, the midlands rely on trade, and we should not be jeopardising hundreds of thousands of jobs in the west midlands.

Mr Leslie: My hon. Friend says it perfectly. We would be failing in our duty if we were simply to delegate all our decisions to the Prime Minister and say, “That’s it. Everything has been done.” Leaving the customs union or the single market was not on the ballot paper, and those are things on which we have a right to express our view.

Caroline Lucas (Brighton, Pavilion) (Green) rose—

Mr Leslie: I want to conclude. The other problem with the deal is the future relationship, because when that motion comes, my constituents expect that it will be about not just the divorce proceedings, the money and the process of leaving, but what our future relationship will be. It must be. If there is simply a side of A4—a flimsy statement of words—with the famous fudge that we are so used to hearing about stapled as an annex to the back of it, that will be unacceptable. We have a duty to press Ministers to do a proper deal that safeguards our constituents’ interests. As MPs, we must ensure that we exercise pressure on the Government to do things properly.

The right hon. and learned Member for Beaconsfield clearly now has the majority of the House with him, because we would not see the Government Chief Whip scuttling around so rapidly—I have never seen him move so quickly—trying to find a form of words. I hope that the right hon. and learned Gentleman will take this opportunity to get his amendment in lieu in the Bill now and send it to the House of Lords. The Lords can always amend, change it or look at it again, and we can come back to this next week and do things properly. It is not our fault that only 12 hours were allocated to this whole ridiculous process; we could have had far longer. The Government have made their bed, and they must now lie in it. They set up this process, and they cannot realistically complain, “Ooh, I didn’t have the chance to read this overnight.” If they want a particular change, they need to accept the will of the House. They can always table amendments in the House of Lords. That seems the best way forward.

Several hon. Members rose—

Mr Speaker: Order. With the last speech on the six-minute limit, I call Sir William Cash.

3.30 pm

Sir William Cash: I am somewhat troubled by what the hon. Member for Nottingham East (Mr Leslie) just said, not least because he wants to kick the matter back to the House of Lords. I thought that the whole argument in respect of the amendment tabled by Viscount Hailsham was about the primacy of the House of Commons. Why would we go back to the other House and ask the Lords for an opinion when it is this House that voted 6:1 in favour of having a referendum? Furthermore, this House endorsed the decision taken by the people to leave the European Union. That is what is now being put under pressure, and it is complete nonsense—junk—to suggest that the amendment about the meaningful vote is not in fact an attempt to reverse the decision of the people.

Sir Edward Leigh: It has been said that the amendment of my right hon. and learned Friend the Member for Beaconsfield (Mr Grieve) is a compromise, but people should read it. Proposed new subsection (5C) is absolutely clear. It states:

“If no political agreement has been reached”,

the Government must come back for

“a resolution in the House of Commons”.

That is exactly the same thing as in proposed new subsection (5) in Lords amendment 19. It is not a compromise; it is a wrecking amendment.

Sir William Cash: I am most grateful to my hon. Friend, because I have the texts of the two amendments in front of me and was just about to make the point that they are not that different. Both state that the Government “must follow any direction in relation to the negotiations under Article 50(2)…which has been—

(a) approved by a resolution of the House of Commons”.

What on earth is that supposed to mean? There is no way in which this House of Commons—650 Members of Parliament—can arrive at a motion that would prescribe what the Government will do in the negotiations. It is not simply a question whether we are somehow or other departing from normal constitutional procedures; it is that the amendment is complete nonsense and makes no sense.

Furthermore, what would such a resolution say? I heard the right hon. Member for Leeds Central (Hilary Benn), who chairs the Exiting the European Union Committee, talk about the customs union and the single market and so forth. However, the amendments talk about approving a resolution of the House of Commons. Who would devise it? What would it say? How on earth would we get 650 people to agree either on what the motion would say or on what the outcome would be?

I have listened to this debate with great interest, and I must say that this is just a cover for a reversal of the decision. That has to be said, and it has to be said clearly. I find it extraordinary that there should be some attempt to throw the matter to the House of Lords so that they can then tell us—we, the people who are elected by the people of this country, who themselves were given the right by the transfer specifically of the responsibility to make the decision on behalf of themselves, their families and future generations—what to do. This is what people fought and died for, which is who governs this country. I say—[Interruption.]
Sir William Cash: Thank you, Mr Speaker. You did quite a good job to shout down the shouter downers. The reality is that this is about who governs this country. This country is governed ultimately by an Act of Parliament that gave the sovereign right to the people. It was a deliberate and voluntary transfer and—the primacy of the House of Commons rests in this—it was done by 6:1 in this House. Some Opposition Members did not vote for that resolution.

George Freeman (Mid Norfolk) (Con): My hon. Friend knows that I am not a remoaner and that I am completely committed to delivering Brexit, but he is not being fair to the thinking behind the amendment. Many of us are committed to delivering Brexit. Our fear is this, and the question for him is this. I do not want to tie the Prime Minister’s hands or to put her negotiations in Europe at the whim of this great colourful Parliament. I want her to be able to go and negotiate, but if we were to vote down a deal or have no deal, is his view that the House would then be locked into accepting no deal, or that this sovereign House at that point should have the ability to say to the Prime Minister, “Go back and push harder.”?

Sir William Cash: I absolutely disagree with the notion that this House has the right to overturn the decision taken by the people. Furthermore, approval on the terms of the amendment is completely unacceptable. I repeat that the amendment states that the Government “must follow any direction in relation to the negotiations under Article 50(2)…which has been—approved by a resolution of the House of Commons”.

That is not acceptable for one simple reason: the decision was taken by the people. We gave them that decision and we have to stand by it.

Several hon. Members rose—

Mr Speaker: Order. The hon. Gentleman has concluded his oration, and we are grateful to him. The time limit is now reduced with immediate effect to four minutes.

Chris Bryant: The most important point is that we should not be complacent about no deal, first of all for security reasons, which was precisely the point the Prime Minister made in her letter to Donald Tusk notifying the European Commission that we were leaving the European Union. She said in terms:

“In security terms, a failure to reach agreement would mean our cooperation in the fight against crime and terrorism would be weakened.”

That was not a threat, but a very simple statement of the truth and of the fact. Consequently, we should not be complacent about the fact that there may be no deal—I do not think the Prime Minister is complacent. I fear that there is not much overlap in the Venn diagram of what the Chancellor of the Exchequer, the Foreign Secretary, Conservative Members and Parliament will vote for and what the European Commission will allow, so there is a real possibility that we will end up with no deal. That is why I say to the Government and to the Solicitor General that we have to have a resolution of this matter today, not in future days.

I was wrong when I said earlier to the former Attorney General, the right hon. and learned Member for Beaconsfield (Mr Grieve), that we could come back to the Lords amendment if we accepted it. However, what is true is the point made by several hon. Members that, if the Solicitor General accepts the right hon. and learned Gentleman’s amendments, they could go back to the House of Lords, which can tidy up afterwards. I honestly say to the Solicitor General that I believe that that is the view of the majority. If I am honest, I believe it is also his view. For that matter, if the Secretary of State were here, and if he were not the Secretary of State, it would probably be his view as well. It was certainly his view in every previous debate that the fundamental principle is that, of course the Government govern, but in the end, Parliament governs the Government.

We have to have government by consent. My anxiety about the way the Government have conducted this whole process is that they do not seem to think that they have enough power. Surely the processes before us today show that they have phenomenal power. We can vote only on matters that the Government allow us to vote on today. The only way we can move forward on the amendment tabled by the right hon. and learned Member for Beaconsfield is if the Minister allows it. The Government have phenomenal power in our system and this is just a brief moment when I think this House would like to say to them, “Go on, you know that that is what the will of the House is. There is no need to divide the Conservative Members. There is no need to divide the House on this. Just accept the amendment from the right hon. and learned Member for Beaconsfield and we can all move forward.”

Dr Philip Lee (Bracknell) (Con): Resigning ministerial office has been an incredibly difficult decision. I did that in order to support my right hon. and learned Friend the Member for Beaconsfield (Mr Grieve)—my trusted friend—in his attempt to amend the Government amendment to Lords amendment 19. I am devastated to have had to take this decision, I owe the House an explanation and there are four points I would make.

For me personally, this is a matter of deep principle. I believe in the Burkean principle that our institutions guarantee our human rights. Most important of all, a Government’s first responsibility is to protect their citizens. That is usually understood in military terms, but I believe it applies more generally. It means that, sometimes, when a majority of our people want something that is against the good of society, the Government and Parliament have a responsibility to protect us. That was the case on the death penalty, when for decades politicians went against the majority view and refused to reinstate it. I believe it now needs to be the case on the Brexit process.

Anna Soubry: Congratulations and well done, sir.

Dr Lee: I thank my right hon. Friend for that. I believe there is growing evidence that shows the Brexit policy our Government are currently pursuing to deliver on the 2016 referendum is detrimental to the people we were elected to serve.

Dr Sarah Wollaston (Totnes) (Con): I congratulate my hon. Friend on his courageous decision. Does he agree that there is no majority in this House or in the country for a destructive, cliff-edge, no-deal Brexit?

Dr Lee: I agree with my hon. Friend on that and would add that I am not convinced there is a majority for such a Brexit in my constituency. It is fundamentally
important that Parliament should have a voice so that it can influence the final outcome, in the interests of the people it serves. A fake choice between a potentially bad deal and a cliff-edge no deal—a vote between bad and worse—is not a meaningful choice. It would breach such fundamental principles of human rights and parliamentary sovereignty that we would not recognise it as being valid in other countries, and it is not one that our Parliament should accept. In all conscience, I cannot bring myself to vote for it in this bastion of liberty, freedom and human rights.

The people of Bracknell are my first and most important responsibility, as their Member of Parliament. It now seems inevitable that the people, economy and culture of my constituency will be affected negatively, and I cannot ignore that, as it is to them that I owe my first responsibility, as their Member of Parliament. I must be able to speak out on their behalf on this greatest political issue of our age. It is important at this point to clarify that the Brexit vote in the Bracknell constituency in the 2016 referendum was not clear-cut; the Bracknell Forest part of the constituency was marginally in favour of Brexit, whereas the Wokingham part was more strongly in favour of remain. But this is not about whether we Brexit or not. I voted to remain in the 2016 referendum and still believe that, despite the European Union’s manifest flaws, that would have been the better strategic course for our country at the time. In this interconnected world, it is nations with allies that will thrive. But we cannot and should not turn back the clock. The point is that, if Brexit is worth doing, it is worth doing well.

It is a huge sacrifice to give up ministerial office. For the past two years, I have been completely committed to enabling our criminal justice system to serve our society better, in a small way bringing some influence to bear to help to make our society more just and secure. The experience has been deeply humbling. I am incredibly sad that I cannot reconcile continuing in ministerial office with representing my constituents’ best interests or my own integrity.

I fully support the Prime Minister’s leadership and strong Conservative Government. It would be dishonourable, and indeed unprofessional, and it would undermine the leadership that the Prime Minister and our party can give our country, and that it so badly needs at this time, if I were either to keep quiet or to criticise the Government’s approach from within. In politics, as in the medical profession, trust and integrity are fundamental. The principle of collective responsibility is also important. That is why I felt that I had to choose this course. I urge my parliamentary colleagues to follow my lead and vote to give our great institution, this House of Commons—and our constituents and our country—the powers it needs to leave our children a legacy of which we can all be proud.

3.45 pm

Kate Hoey (Vauxhall) (Lab): The hon. Member for Bracknell (Dr Lee) said that if Brexit is worth doing, it is worth doing well. I absolutely agree, and I absolutely agree that people in the country want to see Brexit being done well. That means leaving the European Union properly by getting out of the single market and not being in the customs union. If we stay in either of those, we are not really leaving the EU.

I urge the House to reject Lords amendment 19. I spent a few hours—I was going to say “an interesting few hours”, but it was not particularly interesting—reading the entire House of Lords debate on that amendment, as I am sure most Members in the Chamber have. I regret very much that many leading Lords made it clear that they wanted to stop Brexit. I believe that Lords amendment 19, dressed up as it is in the language of parliamentary democracy, is not right and not true. If that means saying that it is disingenuous—if that is the word we have to use—that is what it is, although I would probably use a stronger word.

Mrs Anne Main (St Albans) (Con): Did the hon. Lady note that the right hon. Member for Twickenham (Sir Vince Cable) talked in his speech about the rights of Parliament but not the duties? The duty of this Parliament is to implement the wishes of the British people.

Kate Hoey: I agree with the hon. Lady. I also think that the people of this country will see through Lords amendment 19.

Wera Hobhouse (Bath) (LD): Will the hon. Lady give way?

Kate Hoey: No, I will not.

The people of this country will see that Lords amendment 19 is really about trying to go back on Brexit. Their lordships can say what they want, but that amendment is actually about reversing Brexit. We want to take back control, but taking back control was about the people of this country taking back control and our complying with our constitutional duties as a parliamentary democracy.

The European Commission has tried to be as negative and difficult as possible, and I find it absolutely amazing that anyone would think that if, at the end of the day, we did not negotiate a good deal and we said no, we would send that back for renegotiation. Do hon. Members really think that the European Commission would give us a better deal if it knew that the more obstructive it was, the more likely it would be that any deal would be sent back for renegotiation? The reality is that the European Commission does not want us to leave. It does not want to give us a good deal; it wants to punish us.

Wera Hobhouse: Will the hon. Lady give way?

Kate Hoey: No, I will not.

If Lords amendment 19 is agreed to, it will be a recipe for the EU to try to get no deal so that we will have to go back from this Parliament, cap in hand, and ask for changes. What it really wants is for those changes to be staying in the single market, staying in the customs union, still having the European Court of Justice looking over us, still paying our money—more and more money—and reversing the decision. Whatever is said today, this is really about whether we believe in giving people the right to have their say. We said in the letter that went to everyone, which cost a huge amount of money:

“This is your decision. The Government will implement what you decide.”

Mr John Baron (Basildon and Billericay) (Con): In addition to the referendum, will the hon. Lady reflect on the fact that at last year’s general election, both parties stood on a ticket of leaving the customs union,
ending freedom of movement and repatriating our laws. Both parties were quite unequivocal, and that result needs to be respected.

Kate Hoey: The hon. Gentleman is right that all the manifestos referred to honouring Brexit by leaving the customs union and the single market. Labour put it in a slightly more nuanced way, but, particularly in leave areas, people were told that we would be leaving the single market and the customs union.

This will be very important vote. As we have heard, it is absolutely crucial that we do not allow Lords amendment 19 to be carried. Today we must make a decision. We either support those 17.5 million people who voted to leave, or we say that we will allow people who really want to stop Brexit—by using procedural mechanisms, legal challenges and legal words—to put the whole thing in doubt. I am confident that, in the end, we will not allow the Lords—the unelected House of Lords, which is full of former European commissioners and people who are funded by the European Union—to decide what we are going to do.

Several hon. Members rose—

Mr Speaker: Order. We will now have a three-minute limit.

Mr Harper: In the three minutes available, let me just focus on what I think is at the heart of the argument made by my right hon. and learned Friend the Member for Beaconsfield (Mr Grieve). He is trying to deal with a situation in which either we cannot reach agreement, or this House does not support the Government’s policy. His approach is well meaning. He is trying to do the right thing, as the Solicitor General indicated during the debate, but his amendment is flawed for two reasons. I am reasonably attracted to the first two provisions, which would give the Government an opportunity to set out an overall strategy and invite the House to support it. I think that that would strengthen the Government’s hand, but the third provision is deeply flawed because it would set a time period after which the House would give the Government detailed instructions.

We must remember that this is a negotiation. If I were on the other side of the negotiating table looking at that mandate, I would stall and delay until the Government were in a position in which either they were forced to take whatever poor deal was on offer, or they were forced by this House to do so. That, I know, is not the intention of my right hon. and learned Friend.

The Solicitor General, who is a man of great honour, was making an offer on behalf of the Government. The right way forward is for the House to support the amendment proposed by the Secretary of State. The discussion could then take place, and the Government have given a very clear commitment that they will table an amendment in the House of Lords to reflect that discussion. That is the right way to achieve the outcome that we all want.

Some Members who have spoken in support of that course of action advocated leaving the European Union. I, like many colleagues who are nervous about the amendment tabled by the Secretary of State, advocated remain. I accept the decision that the public have made. I want to reach a good deal, but I also want the Prime Minister to have the best possible opportunity—the strongest cards to play—so that the House will find acceptable. That is the course that my right hon. and learned Friend the Member for Beaconsfield and those who support him ought to follow. The Solicitor General has set out the right course, and I urge my colleagues to support it.

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): I was utterly horrified when I saw this morning’s headlines in The Sun and the Daily Express. Those particular tabloids do not own patriotism in this country. When we hear a speech such as that made by the hon. Member for Bracknell (Dr Lee), we know that there are patriots on both sides of this House who are willing to vote with their conscience and with their constituents and the interests of their country at heart. I hope that all hon. Members will examine those three things when they vote today. That is what I intend to do throughout this process. It is what I have been doing, and it is what the hon. Member for Bracknell has made clear that he is going to do.

We have talked a lot about taking back control in this place. Unfortunately, the Government have, on a whole series of occasions, attempted to frustrate this process and Parliament’s ability to get information about their plans, whether by keeping papers in the Treasury or attempting to frustrate the release of others. Even for Members who have a wide range of views on Brexit and how the process should go, the Government are attempting to say that it is their way or the highway. That is not acceptable, which is why I support the Lords amendment on a meaningful vote, and I hope that all others will do so as well.

This week, Alex Kalinik—a constituent of mine who campaigned with me for a remain vote in the referendum—sadly died a week before his wedding, aged only in his 30s. He was an individual of great integrity and passion. He worked in the steel industry, but believed passionately in having a close economic relationship with our European partners. Earlier this year, we lost another good friend, Will Cousins, a young man who campaigned passionately as part of the “stronger in” campaign and as a part of Open Britain. Of course, we also lost our very deeply missed friend, Jo Cox, nearly two years ago. Like me, she was passionate about our relationship with our European neighbours.

We are in this place—indeed, in this life—for a very short time. There are some things on which we will compromise, make amends and move over, but when it comes to the very big and defining issues of our time, of which this is one, we should be voting with our conscience and in the interests of our country, and we should be doing so in the interests of a better future for all our constituents.

Charlie Elphicke: When I talk to people on Dover high street about the situation with Europe, they say to me, “Why haven’t we left already?” I tell them, “Well, we are now having debates on things like meaningful votes,” and they reply, “But we had a meaningful vote—we had a meaningful vote in a referendum two years ago, and you guys up in Westminster are just endlessly rediscussing that referendum.” In that referendum, I backed remain.
I thought that leaving Europe would be big project that would take up a lot of our capacity as a country, and I urged caution on my constituents, but they were really clear that they wanted to leave the European Union.

We need to respect the result of the referendum. I take a very pragmatic approach that, having had the instructions of my constituents and knowing their clear view, my duty is to discharge the instructions that I have very clearly been democratically given by the people. Those people are my master and I am their servant, so their wishes and requirements ought to be honoured. And that goes for the country as a whole. The country as a whole had a referendum and made a decision. We need to make this work and we need to get the best position for Britain.

That brings me to the next question. When people say, “Parliament should approve this,” what do they really mean? What will they think across the channel? What deal will they want to offer us? The people in the European Commission are not stupid. They can see how the numbers stack up in our Parliament. They can see that, if this provision on a meaningful vote is passed, they could offer us any kind of rubbish deal and the Government would be in a position whereby the Commission would have this country over a barrel. If we want this country to have a really bad deal, measuring the level of this country’s problems in billions of pounds, and if we want to get the worst possible accommodation and the worst possible departure from the European Union, this is how we would achieve it.

That is why, while I have the utmost respect for my right hon. and learned Friend the Member for Beaconsfield (Mr Grieve), I would say to him that his proposal is not the right way to proceed. We cannot micromanage the negotiation, but, worse than that, we cannot have a negotiation where we cannot walk away from the table as the other side knows that we will never be able to do so. I urge the House to take the pragmatic approach of supporting the Government’s amendment in lieu, which will enable us to have an effective negotiation and support the national interest.

4 pm

Seema Malhotra: I want to focus my remarks on Lords amendment 19, which is about the fundamental question of the engagement of Parliament in the process and the outcome of Brexit.

It has been argued that the amendment has been tabled to, in essence, frustrate the Brexit process, but that could not be further from the truth. At its heart, this debate is about what we mean by a meaningful vote. The Prime Minister and other senior Ministers have promised Parliament a meaningful vote. I echo the words of the noble Lord Hailsham, who said that “in a parliamentary system of government, parliamentarians, and in particular Members of the House of Commons, have a right and a duty to determine what is meant by ‘a meaningful vote’.”—[Official Report, House of Lords, 30 April 2018; Vol. 790, c. 1847.]

If the decision of Parliament, on the basis of good argument or after effective scrutiny, is to reject the terms of the deal, then Parliament should have the right to determine and suggest further negotiations or options on how we move forward. There is an important principle that did not get as much of an airing in the Secretary of State’s speech as I would have expected—namely, the role of Parliament. In a parliamentary democracy, is it not right that whatever the outcome, deal or no deal, this country’s future should be determined by Parliament—ultimately, by the House of Commons—and not by Ministers? That is what ought to be meant by a meaningful vote.

It is in the interests of this country for there to be an orderly, stable and predictable Brexit process that enables businesses and families to plan ahead and do all they can to manage the risks of transition—a point often made to me by businesses in my constituency. If the Government are as confident as they make out about getting a good deal, they should have no problem accepting this amendment.

Andrew Bridgen: The hon. Lady claims that she is very worried about the fact that we could have a bad deal or no deal, but will she not concede that in advocating amendment 19, she is more or less guaranteeing that the EU will offer us a bad deal to create a constitutional crisis in our country?

Seema Malhotra: I thank the hon. Gentleman for that comment, but I do not agree.

Legislation is passed in this House not just to plan for when things go well but to provide protections and a route map for actions when things do not go well. There may well be an honest intention to reach a deal by October 2018, but there is no guarantee. I am not talking down the Government’s negotiation attempts, but there is a real possibility that that may not happen.

Let me be clear: this is not about an unnecessary extension of, or thwarting of, the process; it is about providing for clarity in this House, in the circumstances that may arise, about what happens in the final months before Brexit. This can only be helpful in managing the risks of Brexit for our country in the event that a deal is well under way but not reached, or that a deal has not been agreed. It would certainly not be against the spirit of the referendum result, and it could be precisely in the national interest at the time.

Kevin Hollinrake: As a remainer who voted to remain and campaigned heavily to remain, and who would do so again if we ever had another referendum—not that I am advocating that—I think it is fair that Members on both sides of the House raise their concerns about the economy and the effect on jobs and trade. As you know, Mr Speaker, I am still involved in business to this day, so this has a potential personal impact on me. It is quite reasonable that colleagues will want to see the substance of this deal. That is the temptation, but it is not a position I advocate, for a number of reasons.

The Prime Minister has sought to mitigate the effects of leaving, even in difficult circumstances. We have to keep this in perspective and take into account the fact that our exports to the European Union account for around 12% of our trade and of our economy. We also have to remember that the Prime Minister is quite rightly taking a staged approach to withdrawal, which involves staying in the customs union until we have customs processes in place, and maintaining regulatory alignment until we negotiate a reasonable new approach.

Subsection (5) of the new clause proposed in Lords amendment 19 raises the prospect of the Government following “any direction” that Parliament gives. Similarly, new subsection (5C) proposed in amendment (ii) to
Government amendment (a) in lieu of Lords amendment 19, tabled by my right hon. and learned Friend the Member for Beaconsfield (Mr Grieve), raises the prospect that Parliament will simply send the Government back to the negotiating table. What will happen if we go back to the negotiating table and the European Union says no? There is no clarity at that point. It opens up and allows the possibility of staying in the EU for an extended time, with no clarity about how long that will be; it may be weeks, months or years. We should remember that those on the other side of the negotiating table do not want the United Kingdom to leave the European Union, and that raises the prospect of their being even more difficult in those negotiations, which are very difficult in the first place.

Angus Brendan MacNeil: I have heard a number of times that the meaningful vote might or would enable the European Union to give us a bad deal. I argue that it is the contrary. A UK Government with any wit about them would say to their negotiating opponents, “We’ll never get this through Parliament unless it is improved.” It actually strengthens their hand in the negotiations, rather than weakens it, if they have any wit about them.

Kevin Hollinrake: I find that assessment of the circumstances very hard to follow. We are not negotiating on our own; we are negotiating with another party, and clearly it is in their interest to put a bad deal on the table in that situation. That would delay the exit process, which is effectively what these amendments seek to do. I am not saying that my right hon. and learned Friend the Member for Beaconsfield is looking to frustrate the process of Brexit, but it would delay the process of Brexit and raise the possibility of that process never happening at all. We are handing over the negotiating advantage to the EU.

The Solicitor General: I thank my hon. Friend for giving way. I want to reiterate the commitment that I have given at the Despatch Box on behalf of the Government to further discuss the matter with my right hon. and learned Friend the Member for Beaconsfield and others. I am particularly interested in new subsections (5A) and (5B) of his proposals and want to use that as the basis of a structured discussion as we reach the Lords amendments.

Mr Speaker: I advise the hon. Member for Thirsk and Malton that others wish to speak.

Kevin Hollinrake: I am about to conclude, Mr Speaker. The amendment would hand over the negotiating advantage to the EU and raise the prospect, whether Members intend it or not, that we may never leave. Opposition Members should not support it.

Several hon. Members rose—

Mr Speaker: I would like Members to speak for two minutes each and no more.

Tom Brake: I say to the Secretary of State that if he goes naked to the negotiating table—flaunting it all—it is because he and his supporters have conducted their ideological warfare on the airwaves and in our newspapers, not because of any votes we may have today.

The Liberal Democrats have tabled amendment (a) to Lords amendment 19, which would provide people with a final say on the deal. It would be an opportunity to test the will of the people, and I do not quite understand why the Government—and, indeed, the Brexiteers—are so scared by the concept of testing the will of the people.

We have heard a lot about the will of the people, and I must say that it is now the only reason the Government can deploy for supporting Brexit. If we look at the economic grounds, we know from the impact assessments that it will do us damage. On the diplomatic grounds, our friends despair at what we are doing. On the security grounds, we hear threats and counter-threats about not delivering on the security agenda. On savings, we know there will not be any because, among other things, the Government will have to set up a whole series of parallel institutions doing exactly the same thing as the EU ones. On trade, do we really think we are going to get a huge boost from trade with Trump as a protectionist President?

Our amendment (a) to Lords amendment 19 would provide the people with an opportunity to have their views known on this subject, against a background in which much has changed since the referendum vote two years ago. It would give them a say on the final deal, which they are entitled to and deserve, and I think that would put this issue to bed once and for all.

Mr Jonathan Djanogly (Huntingdon) (Con): The key difference between Lords amendment 19 and Government amendment (a) is that, in the event of a no deal scenario, the Government amendment simply requires a statement, while the Lords amendment in effect grants Parliament a power to issue negotiating directions. On the face of it, it looks attractive to say that if the Government cannot deliver, the Commons should be able to step in, but on these procedural amendments, I can see the other side of the argument.

Governments negotiate treaties, under the terms of the royal prerogative, and Executives govern, and I am not one who would wish to undermine that concept except in the most extreme circumstances. That is what I have been weighing up in recent days. I also recognise that the proposal in Government amendment (a) concedes the Lords request that Parliament should gain a legal right to a veto on an international agreement. I believe that this would be the first time such a veto had been allowed in law in the UK, and it moves us into line with the European Parliament approvals. It is fair to say that, in the past few days, the Government have gone some way to address the concerns on this issue.

In my considerations, I have been no little influenced by the Prime Minister, who I sincerely believe wants the best deal possible for the UK and who is asking to be able to go to the June EU meeting with the freest possible hand. However, if the Prime Minister gets the deal this country needs, even with the Government concession in their amendment (a), there is still no plan B if Parliament then rejects the deal. That is why I think the new compromise, tabled last night by my right hon. and learned Friend the Member for Beaconsfield (Mr Grieve), moves towards the balance required in retaining both constitutional integrity and practical requirements. I was therefore very pleased to hear the
Secretary of State say that this issue will now be looked at again in the Lords, and the Solicitor General reinforced that in his earlier comments.

**Mr Speaker:** I call Frank Field. You have two minutes.

**Frank Field:** Two great dramas are being played out. The Father of the House asked how we, as part of a representative system of government, should implement a referendum result. There has also been a drama on this side of the House. Two thirds of Labour constituencies voted to leave—

**Mike Gapes** (Ilford South) (Lab/Co-op): But two thirds of Labour voters voted to remain.

**Frank Field:** I am not disputing that. If my hon. Friend wants to intervene, he can do so and give me another minute. I am not trying to impugn anybody's motives, but when we signed up to the referendum, another minute. I am not trying to impugn anybody's
talks I have with my right hon. and learned Secretary of State say that this issue will now be looked at again in the Lords, and the Solicitor General reinforced that in his earlier comments.

**Mr Speaker:** Order. I am sorry, but time is up—

**Mr Ben Bradshaw** (Exeter) (Lab): I think it would be very helpful to the House if the hon. Lady could spell out in a little more detail exactly what the consensus is—

**Mr Speaker:** Order. I am sorry, but time is up—

**Division No. 166** [4.15 pm]

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**The Speaker put forthwith the Question already proposed from the Chair (Standing Order No. 83F), That this House disagrees with Lords amendment 110.**

The House divided: Ayes 324, Noes 302.

**Three hours having elapsed since the commencement of proceedings on consideration of Lords amendments, the debate was interrupted (Programme Order, this day).**
Halff, 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
Hollinrake, Kevin
Hollobone, Mr Philip
Holloway, Adam
Howell, John
Huddleston, Nigel
Hughes, Eddie
Hunt, rh Mr Jeremy
Hurd, rh Mr Nick
Jack, rh Mr Alister
James, Margot
Javid, rh Sajid
Jayawardena, Mr Ranil
Jenkin, Sir Bernard
Jenkyns, Andrea
Jenrick, Robert
Johnson, rh Boris
Johnson, Dr Caroline
Johnson, Gareth
Johnson, Joseph
Jones, Andrew
Jones, rh Mr David
Jones, rh Mr Marcus
Kawczynski, Daniel
Keegan, 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 Philip
Lefroy, Jeremy
Leigh, Sir Edward
Letwin, rh Sir Oliver
Lewer, Andrew
Lewis, rh Brandon
Lewis, rh Mr 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
Madeley, Mark
Mak, Alan
Malpass, Kit
Mann, Scott
Masterton, Paul
May, rh Mrs Theresa
McLoughlin, rh Sir Patrick
McPartland, Stephen
McVey, rh Ms Esther
Menzies, Mark
Morgan, John
Morgan, Huw
Metcalfe, Stephen
Miller, rh Mrs Maria
Millen, Amanda
Mills, Nigel
Milton, rh Anne
Mitchell, rh Mr Andrew
Moore, Damien
Mordaunt, rh Penny
Morgan, Nicky
Morris, Anne Marie
Morris, David
Morris, James
Morton, Wendy
Mundell, rh David
Murray, Mrs Sheryll
Morrison, 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
Paterson, rh Mr Owen
Pawsey, Mark
Penning, rh Sir Mike
Penrose, John
Percy, Andrew
Perry, rh Claire
Philip, Chris
Pincher, Christopher
Poiluer, Dr Dan
Pow, Rebecca
Prentis, Victoria
Prisk, Mr Mark
Pritchard, Mark
Pursgrove, 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
Scally, 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
Souby, rh Anna
Spelman, rh Dame Caroline
Spencer, Mark
Stephenson, Andrew
Stevenson, John
Stewart, Bob
Stewart, Iain
Stewart, Rory
Stride, rh Mel
Stringer, Graham
Stuart, Graham
Sturdy, Julian
Sunak, Rishi
Swayne, rh Sir Desmond
Swire, rh Sir Hugo
Syms, Sir Robert
Thomas, Derek
Thomson, Ross
Throup, Maggie
Tholhurst, Kelly
Tolminson, Justin
Tolminson, Michael
Abbott, rh Ms Diane
Abrahams, Debbie
Ali, Rushanara
Allin-Khan, Dr Rosena
Amess, Mike
Antoniacci, Tonia
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Beckett, rh Margaret
Benn, rh Hilary
Berger, Luciana
Betts, Mr Clive
Black, Mhairi
Blackford, rh Iain
Blackman, Kirsty
Blackman-Woods, Dr Roberta
Blomfield, Paul
Brabin, Tracy
Bradshaw, rh Mr Ben
Brake, rh Tom
Brennan, Kevin
Brock, Deidre
Brown, Alan
Brown, Lyn
Brown, rh Mr Nicholas
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Richard
Butler, Dawn
Byrne, rh Liam
Cable, rh Sir Vince
Cadbury, Ruth
Cameron, Dr Lisa
Tracey, Craig
Tredinnick, David
Trevelyan, Mrs Anne-Marie
Truss, rh Elizabeth
Tugendhat, Tom
Vaizey, rh Mr Edward
Vara, Mr Shailesh
Vickers, Martin
Villiers, rh Theresa
Walker, Mr Charles
Walker, Mr Robin
Wallace, rh Mr Ben
Warburton, David
Warman, Matt
Watling, Giles
Whatley, Helen
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

**Tellers for the Ayes:**
Paul Maynard and Stuart Andrew

**NOES**
Campbell, rh Mr Alan
Carden, Dan
Carichmah, rh Mr Alistair
Champion, Sarah
Chapman, Douglas
Chapman, Jenny
Charalambs, Bambos
Cherry, Joanna
Clwyd, rh Ann
Coaker, Vernon
Coffey, Ann
Cooper, Julie
Cooper, Rosie
Cooper, rh Yvette
Corbyn, rh Jeremy
Cowan, Ronnie
Coyle, Neil
Crawley, Angela
Creagh, Mary
Creasy, Stella
Craddes, Jon
Cryer, John
Curmin, Judith
Cunningham, Alex
Cunningham, Mr Jim
Dakin, Nick
Davey, rh Sir Edward
David, Wayne
Davies, Geraint
Day, Martyn
De Cordova, Marsha
De Piero, Gloria
Dent Coad, Emma
Dhesi, Mr Tammanjeet Singh
Docherty-Hughes, Martin
Dodds, Anneliese
Doughy, Stephen
Dowd, Peter
Lords amendment 110 disagreed to.

Question accordingly agreed to.

Lords amendment 110 disagreed to.

Schedule 7

Regulations

Motion made, and Question put, That this House

Tellers for the Noes: Thangam Debbonaire and Jeff Smith

AYES

Adams, Nigel
Afoulami, Bim
Afiyie, Adam
Aldous, Peter
Allan, Lucy
Allen, Heidi
Argar, Edward
Akins, Victoria
Bacon, Mr Richard
Badenoch, Mrs Kemi
Baker, Mr Steve

Sobel, Alex
Spellar, rh John
Starmer, rh Keir
Stephens, Chris
Stevens, Jo
Stone, Jamie
Streeting, Wes
Sweeney, Mr Paul
Swinson, Jo
Tami, Mark
Thewlis, Alison
Thomas, Gareth
Thomas-Symonds, Nick
Thornberry, rh Emily
Timms, rh Stephen
Trickett, Jon
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
Williamson, Chris
Wilson, Phil
Wishart, Pete
Woodcock, John
Yasin, Mohammad
Zeichner, Daniel

The House divided: Ayes 325, Noes 304.

Division No. 167

[4.31 pm]
Tellers for the Ayes:
Paul Maynard and
Stuart Andrew

Abbott, rh Ms Diane
Abrahams, Debbie
Ali, Rushanara
Allin-Khan, Dr Rosena
Amesbury, Mike
Antoniazi, Tonia
Ashworth, Jonathan
Austin, Ian
Bailey, Mr Adrian
Bardell, Hannah
Barron, rh Sir Kevin
Beckett, rh Margaret
Ben, rh Mr Hilary
Berger, Luciana
Betts, Mr Clive
Black, Mhairi
Blackford, rh Ian
Blackman, Kirsty
Blackman-Woods, Dr Roberta
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
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, Douglas
Chapman, Jenny
Charalamous, Bambos
Cherry, Joanna
C Hew, rh Ann
Cocker, Vernon
Coffey, Ann
Cooper, Julie
Cooper, Rosie
Cooper, rh Yvette
Corbyn, rh Jeremy
Cowan, Ronnie
Coyle, Neil
Crawley, Angela
Creagh, Mary
Creasy, Stella
Craddes, Jon
Cryer, John

Wilson, rh Sammy
Wollaston, Dr Sarah
Wood, Mike
Wragg, Mr William
Wright, rh Jeremy
Zahawi, Nadhim

Hardy, Emma
Harman, rh Ms Harriet
Harries, Carolyn
Hayes, Helen
Hayman, Sue
Healey, rh John
Hendrick, Sir Mark
Hendry, Drew
Heppurn, Mr Stephen
Heron, Lady
Hill, Mike
Hillier, Meg
Hobhouse, Wera
Hodge, rh Dame Margaret
Hodgson, Mrs Sharon
Hollem, Kate
Hosie, Stewart
Howarth, rh Mr George
Huq, Dr Rupa
Hussain, Imran
Jardine, Christine
Jarvis, Dan
Johnson, Diana
Jones, Darren
Jones, Gerald
Jones, Graham P.
Jones, Helen
Jones, rh Mr Kevan
Jones, Sarah
Jones, Susan Elan
Kane, Mike
Keeley, 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, rh Mr Chris
Lewell-Buck, Mrs Emma
Lewis, Clive
Lewis, Mr Ivan
Linden, David
Lloyd, Stephen
Lloyd, Tony
Long Bailey, Rebecca
Lucas, Caroline
Lucas, Ian C.
Lynch, Holly
MacNeill, Angus Brendan
Madders, Justin
Mahmood, Mr Khalid
Mahmood, Shabana
Malhotra, Seema
Mann, John
Marsden, Gordon
Martin, Sandy
Maskell, Rachael
Matheson, Christian
Mc Nally, John
McCabe, Steve
McCarthy, Kerry
McDonald, Siobhain
McDonald, Andy
McDonald, Stewart Malcolm
McDonald, Stuart C.
Question accordingly agreed to.  
Lords amendment 128 disagreed to.

Clause 14  
INTERPRETATION  
Motion made, and Question put, That this House disagrees with Lords amendment 37.—(Mr David Davis.)

The House divided: Ayes 326, Noes 301.

Division No. 168]  

AYES

Buckland, Robert  
Burghart, Alex  
Burns, Conor  
Burt, rh Alistair  
Cairns, rh Alun  
Campbell, Mr Gregory  
Campbell, Mr Ronnie  
Cartlidge, James  
Cash, rh Sir William  
Caulfield, Maria  
Chalk, Alex  
Chihi, Rehman  
Chope, Sir Christopher  
Churchill, Jo  
Clark, Collin  
Clark, rh Greg  
Clarke, Mr Simon  
Cleverly, James  
Clifton-Brown, Sir Geoffrey  
Coffey, Dr Thérèse  
Collins, Damian  
Costa, Alberto  
Courts, Robert  
Cox, Mr Geoffrey  
Crabb, rh Stephen  
Crouch, Tracey  
Davies, Chris  
Davies, David T. C.  
Davies, Glyn  
Davies, Mims  
Davies, Philip  
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  
Dudbridge, James  
Duguid, David  
Duncan, rh Sir Alan  
Duncan Smith, rh Mr Iain  
Dunne, Mr Philip  
Ellis, Michael  
Ellwood, rh Mr Tobias  
Epinicke, Charlie  
Eustice, George  
Evans, Mr Nigel  
Evnennet, rh Sir David  
Fabricant, Michael  
Fallon, rh Sir Michael  
Field, rh Frank  
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  
Gillian, rh Dame Cheryl  
Girvan, Paul  
Glen, John  
Goldsmith, Zac  
Goodwill, rh Mr Robert  
Gove, rh Michael  
Graham, Luke  
Graham, Richard  
Grant, Bill  
Grant, Mrs Helen  
Gray, James  
Grayling, rh Chris  
Green, Chris  
Green, rh Damian  
Greening, rh Justine  
Grieve, rh Mr Dominic  
Griffiths, Andrew  
Gyimah, Mr Sam  
Hair, Kirstene  
Hallon, 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  
Hertford, rh Nick  
Hinds, rh Damian  
Hoare, Simon  
Hoey, Kate  
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, Margot  
Javid, rh Sajid  
Jayawardena, Mr Ranil  
Jenkin, Sir Bernard  
Jenkyns, Andrea  
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  
Lefroy, Jeremy  
Leigh, Sir Edward  
Letwin, rh Sir Oliver  
Lewer, Andrew  
Lewis, rh Brandon  
Lewis, rh Dr Julian  
Liddell-Grainger, Mr Ian  
Liddington, rh Mr David  
Little Pengelly, Emma  
Lopez, Julia  
Lopresti, Jack  
Lord, Mr Jonathan  
Loughton, Tim  
Mackinlay, Craig  
Maclean, Rachel  
Main, Mrs Anne  
Mak, Alan  
Malthouse, Kit  
Mann, John  
Mann, Scott  
Masterton, Paul  
May, rh Mrs Theresa  
McLoughlin, rh Sir Patrick  
McPartland, Stephen  
McVeigh, rh Ms Esther  
Menzies, Mark  
Mercer, Johnny  
Merriman, Huw  
Metcalf, Stephen  
Miller, rh Mrs Maria  
Milling, Amanda  
Mills, Nigel
Division No. 169]  [4.58 pm

Division: Ayes 324, Noes 302.

A YES

Davies, Philip
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
Downen, Oliver
Dooly-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
Evennett, rh Sir David
Fabricant, Michael
Fallon, rh Sir Michael
Field, rh Frank
Field, rh Mark
Ford, Vicky
Foster, Kevin
Fox, rh Dr Liam
Francois, rh Mr Mark
Frazer, Lucy
Fremantle, George
Freer, Mike
Fysh, Mr Marcus
Gallan, rh Dame Cheryl
Girvan, Paul
Glen, John
Goldsmith, Zac
Goodwill, rh Mr Robert
Gove, rh Michael
Graham, Luke
Graham, Richard
Grant, Bill
Grant, Mrs Helen
Gray, James
Grayling, rh Chris
Green, Chris
Green, rh Damian
Greening, rh Justine
Grieve, rh Mr Dominic
Griffiths, Andrew
Gyimah, Mr Sam
Hair, Kirstene
Halton, rh Robert
Hall, Luke

Question accordingly agreed to.
Lords amendment 37 disagreed to.

Motion made, and Question put. That this House disagrees with Lords amendment 39.—(Mr David Davis.)

The House divided: Ayes 324, Noes 302.
Tellers for the Ayes: Jo Churchill and Nigel Adams
Dromey, Jack
Duffield, Rosie
Eagle, Ms Angela
Eagle, Maria
Edwards, Jonathan
Efferd, Clive
Elliott, Julie
Elliman, Dame Louise
Elmore, Chris
Esterson, Bill
Evans, Chris
Farrelly, Paul
Farron, Tim
Fellows, Marion
Fitzpatrick, Jim
Fletcher, Colleen
Flynn, Paul
Fovargue, Yvonne
Foxcroft, Vicky
Frith, James
Furniss, Gill
Gaffney, Hugh
Gapes, Mike
Gardiner, Barry
George, Ruth
Gethins, Stephen
Gibson, Patricia
Gill, Prent Kaur
Glindon, Mary
Godsiff, Mr Roger
Goodman, Helen
Grady, Patrick
Grant, Peter
Gray, Neil
Green, Kate
Greenwood, Lilian
Greenwood, Margaret
Griffith, Nia
Grogan, John
Gwynne, Andrew
Haigh, Louise
Hamilton, Fabian
Hardy, Emma
Harman, Mr Ms Harriet
Harris, Carolyn
Hayes, Helen
Hayman, Sue
Healey, rh John
Hendrick, Sir Mark
Hendry, Drew
Hepburn, Mr Stephen
Hermion, Lady
Hill, Mike
Hillier, Meg
Hobhouse, Wera
Hodge, rh Dame Margaret
Hodgson, Mrs Sharon
Hollern, Kate
Hosie, Stewart
Howarth, rh Mr George
Huq, Dr Rupa
Hussain, Imran
Jardine, Christine
Jarvis, Dan
Johnson, Diana
Jones, Darren
Jones, Gerald
Jones, Graham P.
Jones, Helen
Jones, rh Mr Kevan
Jones, Sarah
Jones, Susan Elan
Kane, Mike
Keeley, Barbara
Kendall, Liz
Khamb, Afsal
Killen, Ged
Kinnock, Stephen
Kyle, Peter
Laird, Lesley
Lake, Bertha
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, Tony
Long Bailey, Rebecca
Lucas, Caroline
Lucas, Ian C.
Lynch, Holly
MacNeill, Angus Brendan
Madders, Justin
Mahmood, Mr Khalid
Mahmood, Shabana
Malhotra, Seema
Mann, John
Marsden, Gordon
Martin, Sandy
Maskell, Rachel
Matheson, Christian
McNally, John
McCabe, Steve
McCarthy, Kerry
McDonagh, Siobhain
McDonald, Andy
McDonald, Steward Malcolm
McDonald, Stuart C.
McDonnell, rh John
McFadden, rh Mr Pat
McGinn, Conor
McGovern, Alison
McInnes, Liz
McKinnell, Catherine
McMahon, Jim
McMorrin, Anna
Mearns, Ian
Miliband, rh Edward
Monaghan, Carol
Moon, Mrs Madeleine
Morgan, Layla
Morden, Jessica
Morgan, Stephen
Morris, Graeme
Murray, lan
Nandy, Lisa
Newlands, Gavin
Norris, Alex
O'Hara, Brendan
O'Mara, Jared
Onasanya, Fiona
Onn, Melanie
Onwurah, Chi
Osama, Kate
Owen, Albert
Peacock, Stephanie
Pearce, Teresa
Pennycook, Matthew
Perkins, Toby
Phillips, Jess
Phillipson, Bridget
Picock, Laura
Platt, Jo
Pollard, Luke
Pound, Stephen
Powell, Lucy
Qureshi, Yasmin
Rashid, Faisal
Rayner, Angela
Reed, Mr Steve
Rees, Christina
Reeves, Ellie
Reeves, Rachel
Reynolds, Emma
Reynolds, Jonathan
Rimmer, Ms Marie
Robinson, Mr Geoffrey
Rodda, Matt
Rowley, Danielle
Ruthe, 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, rh 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
Starmer, 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
Trickett, Jon
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
Williamson, Chris
Wilson, Phil
Wishart, Pete
Woodcock, John
Yasin, Mohammad
Zeichner, Daniel

Tellers for the Noes:
Thungam Debbonaire and
Jeff Smith

Question accordingly agreed to.
Lords amendment 39 disagreed to.

Schedule 7

REGULATIONS
Motion made, and Question put, That this House disagrees with Lords amendment 125.—(Mr David Davis.)

The House divided: Ayes 328, Noes 297.

Division No. 170] [5.13 pm

AYES

Afolami, Bim
Afriyie, Adam
Aldous, Peter
Allan, Lucy
Allen, Heidi
Andrew, Stuart
Argar, Edward
Atkins, Victoria
Bacon, Mr Richard
Badenoch, Mrs Kemi
Baker, Mr Steve
Baldwin, Harriett
Barclay, Stephen
Baron, Mr John
Bebb, Guto
Bellingham, Sir Henry
Benyon, rh Richard
Beresford, Sir David
Berry, Jake
Blackman, Bob
Blunt, Crispin
Boles, Nick
Bone, Mr Peter
Bottomley, Sir Peter
Bowie, Andrew
Bradley, Ben

ABYSES

Afolami, Bim
Afriyie, Adam
Aldous, Peter
Allan, Lucy
Allen, Heidi
Andrew, Stuart
Argar, Edward
Atkins, Victoria
Bacon, Mr Richard
Badenoch, Mrs Kemi
Baker, Mr Steve
Baldwin, Harriett
Barclay, Stephen
Baron, Mr John
Bebb, Guto
Bellingham, Sir Henry
Benyon, rh Richard
Beresford, Sir David
Berry, Jake
Blackman, Bob
Blunt, Crispin
Boles, Nick
Bone, Mr Peter
Bottomley, Sir Peter
Bowie, Andrew
Bradley, Ben
Warman, Matt
Watling, Giles
Whately, Helen
Wheeler, Mrs Heather
Whittaker, Craig
Whittingdale, rM John
Wiggin, Bill
Williamson, rhGavin
Wilson, rh Sammy

Wollaston, Dr Sarah
Wood, Mike
Wragg, Mr William
Wright, rh Jeremy
Zahawi, Nadhim

Tellers for the Ayes:
Jo Churchill and Nigel Adams

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
Dodd, Anneliese
Dougherty, Stephen
Dowd, Peter
Drew, Dr David
Dromey, Jack
Duffield, Rosie
Eagle, Ms Angela
Eagle, Maria
Edwards, Jonathan
Efford, Clive
Elliott, Julie
Ellman, Dame Louise
Elmore, Chris
Esterson, Bill
Evans, Chris
Farrelly, Paul
Farron, Tim
Fellows, Marion
Fitzpatrick, Jim
Fletcher Colleen
Flynn, Paul
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
Godisf, Mr Roger
Goodman, Helen
Grady, Patrick
Grant, Peter
Gray, Neil
Green, Kate
Greenwood, Lilian
Greenwood, Margaret
Griffith, Nia
Grogan, John
Gwynne, Andrew
Haigh, Louise
Hammond, Fabian
Hardy, Emma
Harman, rh Ms Harriet

Harris, Carolyn
Hayes, Helen
Hayman, Sue
Healey, rh John
Hendrick, Sir Mark
Hendry, Drew
Hepburn, Mr Stephen
Hermon, Lady
Hill, Mike
Hillier, Meg
Hobhouse, Wera
Hodge, rh Dame Margaret
Hodgson, Mrs Sharon
Hollern, Kate
Hosie, Stewart
Howarth, rh Mr George
Huq, Dr Rupa
Hussain, Imran
Jardine, Christine
Jarvis, Dan
Johnson, Diana
Jones, Darren
Jones, Gerald
Jones, Graham P.
Jones, Helen
Jones, rh Mr Kevan
Jones, Sarah
Jones, Susan Elan
Kane, Mike
Keeley, 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, rh Mr Ivan
Linden, David
Lloyd, Tony
Long Bailey, Rebecca
Lucas, Caroline
Lucas, Ian C.
Lynch, Holly
Madders, Justin
Mahmood, Mr Khalid
Mahmood, Shabana
Malhotra, Seema
Maraden, Gordon
Martin, Sandy
Maskell, Rachael
Matheson, Christian
Mc Nally, John
McCabe, Steve
McCarthy, Kerry
McDonagh, Siobhain
McDonald, Andy
McDonald, Stewart Malcolm
McDonald, Stuart C.
McDonnell, rh John
McFadden, rh Mr Pat
McGinn, Conor
McGovern, Alison
Mclnnes, Liz

McKinnell, Catherine
McMahon, Jim
McMorris, Anna
Meams, 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
O’Mara, Jared
Onasanya, Fiona
Onn, Melanie
Onwurah, Chi
Osamor, Kate
Owen, Albert
Peacock, Stephanie
Pearce, Teresa
Pennycook, Matthew
Perrins, Toby
Phillips, Jess
Phillipson, Bridget
Pidcock, Laura
Platt, Jo
Pollard, Luke
Pound, Stephen
Powell, Lucy
Qureshi, Yasmin
Rashid, Faisal
Rayner, Angela
Reed, Mr Steve
Rees, Christina
Reeves, Ellie
Reeves, Rachel
Reynolds, Emma
Reynolds, Jonathan
Rimmer, Ms Marie
Robinson, rh 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
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
Stamer, rh Keir
Stehens, Chris
Stevens, Jo
I am grateful to the right hon. Gentleman for his point of order and for his courtesy in giving me advance notice of his intention to raise it. Of course I understand his points; he would probably be more than a little perturbed if I did not. To be clear—I think it warrants a simple explanation or statement to the House—all I can do is to select or not select amendments and to decide whom to call to speak. His amendment was selected, and I vividly recall that he was able to make a brief contribution to the debate.

I am as tightly bound by the Standing Orders of the House as the right hon. Gentleman is, and—I say this for wider intelligibility of our proceedings—once the knife has fallen during consideration of Lords amendments, which means in simple parlance once time for debate is up, only Ministers may put propositions to the House. That may dissatisfy some colleagues, but I am sure everyone will accept that we have to operate in accordance with the rules, and where there is no discretion, I cannot assume that there is. I hope that that is at least helpful in explaining how we are doing things and why we are doing what we are doing. I am grateful to the right hon. Gentleman.
Gyimah, Mr Sam
Hair, Kirstene
Hallon, 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
Hoey, Kate
Hollingbery, George
Hollinrake, Kevin
Hollonds, Mr Philip
Holloway, Adam
Hopkins, Kelvin
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, Sir Bernard
Jenkyns, Andrea
Jenrick, 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
Knight, Julian
Kwarteng, Kwasi
Lamont, John
Lancaster, rh Mark
Latham, Mrs Pauline
Leadsom, rh Andrea
Lefroy, Jeremy
Leigh, Sir Edward
Letwin, rh Sir Oliver
Lewer, Andrew
Lewis, rh Brandon
Lewis, rh Dr Julian
Liddell-Grainger, Mr Ian
Liddington, rh Mr David
Little Pengelly, Emma
Lopez, Julia
Lopresti, Jack
Lord, Mr Jonathan
Loughton, Tim
Mackinlay, Craig
Maclean, Rachel
Main, Mrs Anne
Mak, Alan
Malthouse, Kit
Mann, John
Mann, Scott
Masterton, Paul
May, rh Mrs Theresa
Maynard, Paul
McLaughlin, rh Sir Patrick
McPartland, Stephen
McVey, rh Ms Esther
Menzies, Mark
Mercer, Johnny
Merriman, Huw
Metcalfe, Stephen
Miller, rh Mrs Maria
Milling, Amanda
Mills, Nigel
Milton, rh Anne
Mitchell, rh Mr Andrew
Moore, Damien
Mordaunt, 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
Pell, rh Phil
Paton, rh Mr Owen
Pawsey, Mark
Penning, rh Sir Mike
Penrose, John
Percy, Andrew
Perry, rh Claire
Philp, Chris
Pincher, Christopher
Poulter, Dr Dan
Pow, Rebecca
Prentis, Victoria
Prisk, Mr Mark
Pritchard, Mark
Pursglove, Tom
Quin, Jeremy
Quince, Will
Raab, Dominic
Redwood, rh John
Rees-Mogg, Mr Jacob
Robertson, Mr Laurence
Robinson, Gavin
Robinson, Mary
Rosindell, Andrew
Ross, Douglas
Rowley, Lee
Rudd, rh Amber
Rutley, David
Sandbach, Antoinette
Sculpher, Ruth
Seely, Mr Bob
Selous, Andrew
Shannon, Jim
Shapps, rh Grant
Sharma, Alok
Shellbrooke, Alec
Simpson, David
Simpson, rh Mr Keith
Skidmore, Chris
Smith, Chloe
Smith, Mr Henry
Smith, rh Julian
Smith, rh Royston
Soames, rh Sir Nicholas
Spelman, rh Dame Caroline
Spencer, Mark
Stephenson, Andrew
Stevenson, John
Stewart, Bob
Stewart, Iain
Stewart, Rory
Stride, rh Mel
Stringer, Graham
Stuart, Graham
Sturdy, Julian
Sunak, Rishi
Swain, rh Sir Desmond
Swire, rh Sir Hugo
Syms, rh Sir Robert
Thomas, Derek
Thomson, Ross
Throup, Maggie
Tolhurst, Kelly
Tomlinson, Justin

Abbott, rh Ms Diane
Abrahams, Debbie
Ali, Rushanara
Alin-Khan, Dr Rosena
Amesbury, Mike
Antoniacci, Tonia
Ashworth, Jonathan
Austin, Ian
Bailey, Mr Adrian
Bardell, Hannah
Beckett, rh Margaret
Benn, rh Hilary
Berger, Luciana
Betts, Mr Clive
Black, Mhairi
Blackford, rh Ian
Blackman, Kirsty
Blackman-Woods, Dr Roberta
Blomfield, Paul
Brabin, Tracy
Bradshaw, rh Mr Ben
Brake, rh Tom
Brennan, Kevin
Brock, Deidre
Brown, Alan
Brown, Lyn
Brown, rh Mr Nicholas
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Richard
Butler, Dawn
Byrne, rh Liam
Cable, rh Sir Vince
Cadbury, Ruth
Cameron, Dr Lisa
Campbell, rh Mr Alan

Tellers for the Ayes:
Zahawi, Nadim
Doughty, Jonathan

Nigel Adams

NOES
Carden, Dan
Carmona, rh Mr Alistair
Champion, Sarah
Chapman, Douglas
Chapman, Jenny
Charalambous, Bambos
Cherry, Joanna
Clarke, Mr Kenneth
Clwyd, rh Ann
Coaker, Vernon
Coffee, Ann
Cooper, Julie
Cooper, Rosie
Cooper, rh Yvette
Corbyn, rh Jeremy
Cowen, Ronnie
Coyne, Neil
Crawley, Angela
Creagh, Mary
Cressy, Stella
Crudaad, Jon
Cryer, John
Cummins, Judith
Cunningham, Alex
Cunningham, Mr Jim
Dakin, Nic
Daviey, rh Sir Edward
David, Wayne
Davies, Geraint
Day, Martyn
De Cordova, Marsha
De Piero, Gloria
Dent Coad, Emma
Dhesh, Mr Tanmanjeet Singh
Docherty-Hughes, Martin
Dodds, Anneliese
Doughty, Stephen

European Union (Withdrawal) Bill 12 JUNE 2018 European Union (Withdrawal) Bill
Motion made, and Question put, That this House disagrees with Lords amendment 52.—(Mr David Davis.)

The House divided: Ayes 326, Noes 301.

Division No. 172] [5.45 pm

**AYES**

Adams, Nigel  
Afolami, Bim  
Afroje, Adam  
Aldous, Peter  
Allen, Lucy  
Allen, Heidi  
Andrew, Stuart  
Argar, Edward  
Atkins, Victoria  
Bacon, Mr Richard

Badenoch, Mrs Kemi  
Baker, Mr Steve  
Baldwin, Harriett  
Barclay, Stephen  
Baron, Mr John  
Bebb, Guto  
Bellingham, Sir Henry  
Benyon, rh Richard  
Beresford, Sir Paul  
Berry, Jake
Villiers, rh Theresa
Walker, Mr Charles
Walker, Mr Robin
Wallace, rh Mr Ben
Warburton, David
Warman, Matt
Watling, Giles
Whately, Helen
Wheeler, Mrs Heather
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

Tellers for the Ayes:
Craig Whittaker and Andrew Stephenson

Abbott, rh Ms Diane
Abrahams, Dehbio
Ali, Rushanara
Allin-Khan, Dr Rosena
Amesbury, Mike
Antoniacci, Tonia
Ashworth, Jonathan
Austin, Ian
Bailey, Mr Adrian
Bardell, Hannah
Barron, rh Sir Kevin
Beckett, rh Margaret
Benn, rh Hilary
Berger, Luciana
Bets, Mr Clive
Black, Mhairi
Blackford, rh Ian
Blackman, Kirsty
Bloomfield, Paul
Brabin, Tracy
Brady, rh Tom
Brennan, Kevin
Brock, Deidre
Brown, Alan
Brown, Lyn
Brown, rh Mr Nicholas
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Richard
Butler, Dawn
Byrne, rh Liam
Cable, rh Sir Vince
Cadbury, Ruth
Cameron, Dr Lisa
Campbell, rh Mr Alan
Carden, Dan
Carmichael, rh Mr Alistair
Charman, Champion
Chapman, Douglas
Chapman, Jenny
Charalambous, Bambos
Cherry, Joanna
Clwyd, rh Ann
Coaker, Vernon
Coffey, Ann
Cooper, Julie
Cooper, Rosie
Cooper, rh Yvette
Corbyn, rh Jeremy
Cowan, Ronnie
Coyle, Neil
Crawley, Angela
Cragg, Mary
Creasy, Stella
Cruddas, Jon
Cryer, John

Haigh, Louise
Hamilton, Fabian
Hardy, Emma
Harman, rh Ms Harriet
Harris, Carolyn
Hayes, Helen
Hayman, Sue
Healey, rh John
Hendrick, Sir Mark
Hendry, Drew
Hepburn, Mr Stephen
Hermon, Lady
Hill, Mike
Hillier, Meg
Hobhouse, Wera
Hodge, rh Dame Margaret
Hodgson, Mrs Sharon
Holburn, Kate
Holmes, 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, rh Mr Kevan
Jones, Sarah
Jones, Susan Elan
Kane, Mike
Keelley, Barbara
Kendall, Liz
Khater, Afzal
Kilen, Ged
Kinnock, Stephen
Kyle, Peter
Laird, Lesley
Lake, Ben
Lamb, rh Norman
Lammy, rh Mr David
Lavery, Ian
Law, Chris
Lee, Karen
Leslie, Mr Charlie
Lewell-Buck, Mrs Emma
Lewis, Clive
Lewis, Mr Ivan
Linden, David
Lloyd, Stephen
Lloyd, Tony
Long Bailey, Rebecca
Lucas, Caroline
Lucas, Ian C.
Lynch, Holly
MacNeil, Angus Brendan
Madders, Justin
Mahmod, Mr Khalid
Mahmod, Shabana
Malhotra, Seema
Marsden, Gordon
Martin, Sandy
Maskell, Rachael
Matheson, Christian
Mc Nally, John
McCabe, Steve
McCarthy, Kerry
McDonagh, Siobhan
McDonald, Andy
McDonald, Stewart Malcolm

McDonald, Stuart C.
McDonnell, rh John
McFadden, rh Mr Pat
McCinn, Conor
McGovern, Alison
McInnes, Liz
McKinnell, Catherine
McMahon, Jim
McMorrin, Anna
Mears, 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
Owuru, Chi
Osamar, Kate
Owen, Albert
Peacock, Stephanie
Pearce, Teresa
Pennycook, Matthew
Perkins, Toby
Phillips, Jess
Phillipson, Bridget
Piddock, Laura
Platt, Jo
Pollard, Luke
Pound, Stephen
Powell, Lucy
Qureshi, Yasmin
Rashid, Faisal
Rayner, Angela
Reed, Mr Steve
Rees, Christina
Reeves, Ellie
Reeves, Rachel
Reynolds, Emma
Reynolds, Jonathan
Rimmer, Ms Marie
Robinson, Mr Geoffrey
Rodd, Matt
Rowley, Danielle
Ruane, Chris
Russell-Moyle, Lloyd
Ryan, rh Joan
Saville Roberts, Liz
Shah, Naz
Sharma, Mr Virendra
Sheerman, Mr Barry
Sheppard, Tommy
Sherriff, Paula
Shuker, Mr Gavin
Siddiq, Tulip
Skinner, Mr Dennis
Slaughter, Andy
Smeeth, Ruth
Smith, Angela
Smith, Cat
Smith, Eleanor
Smith, Laura
Smith, Nick
Smith, Owen
The House divided: Lords amendment 52 disagreed to.

Question accordingly agreed to.

Lords amendment 52 disagreed to.

Clause 7

DEALING WITH DEFICIENCIES ARISING FROM WITHDRAWAL

Motion made, and Question put, That this House disagrees with Lords amendment 10.—[Mr David Davis.] The House divided: Ayes 320, Noes 305.

Division No. 173

[5.58 pm]

AYES

Adams, Nigel
Afolami, Bim
Afriyie, Adam
Aldous, Peter
Allan, Lucy
Allen, Heidi
Andrew, Stuart
Argar, Edward
Atkins, Victoria
Bacon, Mr Richard
Badenoch, Mrs Kemi
Baker, Mr Steve
Baldwin, Harriett
Barclay, Stephen
Baron, Mr John
Bebb, Guto
Bellingham, Sir Henry
Benyon, rh Richard
Beresford, Sir Paul
Berry, Jake
Blackman, Bob
Blunt, Crispin
Boles, Nick
Bone, Mr Peter
Bottomley, Sir Peter
Bowie, Andrew
Bradley, Ben
Bradley, rh Karen
Brady, Sir Graham
Braverman, Sueila
Brereton, Jack
Bridgen, Andrew

Twist, Liz
Umnuna, Chuka
Vaz, rh Keith
Vaz, Valerie
Walker, Thelma
Watson, Tom
West, Catherine
Western, Matt
Whitehead, Dr Alan
Whitfield, Martin
Whitford, Dr Philippa
Williams, Hywel
Williams, Dr Paul
Williamson, Chris
Wilson, Phil
Wishart, Pete
Woodcock, John
Yasin, Mohammad
Zeichner, Daniel

Tellers for the Noes:
Thangam Debbonaire and
Jeff Smith

Davies, Philip
Davis, rh Mr David
Dinenage, Caroline
Djankoly, Mr Jonathan
Docherty, Leo
Dodds, rh Nigel
Donaldson, rh Sir Jeffrey M.
Donelan, Michelle
Donnies, 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
Ephicte, Charlie
Eustice, George
Evans, Mr Nigel
Evennett, rh Sir 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, rh 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, rh Mr Robert
Gove, rh Michael
Graham, Luke
Graham, Richard
Grant, Bill
Grant, Mrs Helen
Gray, James
Grayling, rh Chris
Green, Chris
Green, rh Damian
Greening, rh Justine
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
Hinds, rh Damian
Hoare, Simon
Hollingbery, George
Hollinrake, Kevin
Holloboine, 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
Jayawardenia, Mr Ranil
Jenkin, Sir Bernard
Jenkyns, Andrea
Jenrick, Robert
Johnson, rh Boris
Johnson, rh Dr Caroline
Johnson, Gareth
Johnson, Joseph
Jones, Andrew
Jones, rh Mr David
Jones, rh Mr Marcus
Kawczynski, Daniel
Keegan, 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 Philipp
Lefroy, Jeremy
Leigh, Sir Edward
Leitwin, rh Sir Oliver
Lewer, Andrew
Lewis, rh Brandon
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, Craig
Maclean, Rachel
Main, Mrs Anne
Mak, Alan
Malthouse, Kit
Mann, Scott
Masterton, Paul
Maynard, Paul
McCoulhlin, rh Sir Patrick
McPartland, Stephen
McVey, rh Ms Esther
Menzies, Mark
Mercer, Johnny
Merriman, Huw
Metcalfe, Stephen
Miller, rh Mrs Maria
Milling, Amanda
Mills, Nigel
Barron, rh Sir Kevin
Bardell, Hannah
Bailey, Mr Adrian
Ashworth, Jonathan
Antoniazzi, Tonia
Ashworth, Jonathan
Austin, Ian
Bailey, Mr Adrian
Bardell, Hannah
Barron, rh Sir Kevin
Simpson, rh Mr Keith
Skidmore, Chris
Smith, Chloe
Smith, Henry
Smith, rh Julian
Smith, Royston
Soames, rh Sir Nicholas
Souby, rh Anna
Spelman, Rh Dame Caroline
Spencer, Mark
Stevenson, John
Stewart, Bob
Stewart, Iain
Stewart, Rory
Stride, rh Mel
Stringer, Graham
Stuart, Graham
Sturdy, Julian
Sunak, Rishi
Swayne, rh Sir Desmond
Swire, rh Sir Hugo
Syms, rh Sir Robert
Thomas, Derek
Thomson, Ross
Throup, Maggie
Tolhurst, Kelly
Tomlinson, Justin
Tomlinson, Michael
Tracey, Craig
Tredinnick, David
Trevelyan, Mrs Anne-Marie
Truss, rh Elizabeth
Tugendhat, Tom
Vaizey, Mr Edward
Vara, Mr Shailesh
Vickers, Martin
Villiers, rh Theresa
Walker, Mr Charles
Walker, Mr Robin
Wallace, rh Mr Ben
Warburton, David
Wann, Matt
Wating, Giles
Whately, Helen
Wheeler, Mrs Heather Waddington, rh Mr John
Wiggin, Bill
Williamson, rh Gavin
Wilson, rh Sammy
Wollaston, Dr Sarah
Wood, Mike
Wragg, Mr William
Wright, rh Jeremy
Zahawi, Nadhim

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, Douglas
Chapman, Jenny
Charalambous, Bambos
Cherry, Joanna
Clarke, rh Mr Kenneth
Cowper, Vernon
Coffey, Ann
Cooper, Julie
Cooper, Rosie
Cooper, rh Yvette
Corbyn, rh Jeremy
Cowan, Ronnie
Coyle, Neil
Crawley, Angela
Creagh, Mary
Creasy, Stella
Craddock, 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
Dochez-Hughes, Martin
Dodds, Anneliese
Doughty, Stephen
Dowd, Peter
Drew, Dr David
Dromey, Jack
Duffield, Rosie
Eagle, Ms Angela
Eagle, Maria
Edwards, Jonathan
Efford, Clive
Elliott, Julie
Ellman, Dame Louise
Elmore, Chris
Esterson, Bill
Evans, Chris
Farrell, Paul
Farron, Tim
Fellows, Marion
Fitzpatrick, Jim
Fletcher, Colleen

Flint, rh Caroline
Flynn, Paul
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
Grant, Peter
Gray, Neil
Green, Kate
Greenwood, Lilian
Greenwood, Margaret
Griffith, Nia
Grogan, John
Gwynne, Andrew
Haigh, Louise
Hamilton, Fabian
Hardy, Emma
Harman, rh Ms Harriet
Harris, Carolyn
Hayes, Helen
Hayman, Sue
Healey, rh John
Hendrick, Sir Mark
Hendry, Drew
Heburn, Mr Stephen
Heron, Lady
Hill, Mike
Hillier, Meg
Hobhouse, Wera
Hodge, rh Dame Margaret
Hodgson, Mrs Sharon
Hollob, Kate
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, rh Mr Kevan
Jones, Sarah
Jones, Susan Elan
Kane, Mike
Keeley, Barbara
Kendall, Liz
Khan, Atzal
Kilien, 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

Tellers for the Ayes:
Craig Whittaker and Andrew Stephenson

NOES

Abbott, rh Ms Diane
Abrahams, Debbie
Ali, Rushanara
Allin-Khan, Dr Rosena
Amesbury, Mike
Antoniazzi, Tonia
Ashworth, Jonathan
Austin, Ian
Bailey, Mr Adrian
Bardell, Hannah
Barron, rh Sir Kevin
Simpson, David
Simpson, rh Mr Keith
Skidmore, Chris
Smith, Chloe
Smith, Henry
Smith, rh Julian
Smith, Royston
Soames, rh Sir Nicholas
Souby, rh Anna
Spelman, Rh Dame Caroline
Spencer, Mark
Stevenson, John
Stewart, Bob
Stewart, Iain
Stewart, Rory
Stride, rh Mel
Stringer, Graham
Stuart, Graham
Sturdy, Julian
Sunak, Rishi
Swayne, rh Sir Desmond
Swire, rh Sir Hugo
Syms, rh Sir Robert
Thomas, Derek
Thomson, Ross
Throup, Maggie
Tolhurst, Kelly
Tomlinson, Justin
Tomlinson, Michael
Tracey, Craig
Tredinnick, David
Trevelyan, Mrs Anne-Marie
Truss, rh Elizabeth
Tugendhat, Tom
Vaizey, Mr Edward
Vara, Mr Shailesh
Vickers, Martin
Villiers, rh Theresa
Walker, Mr Charles
Walker, Mr Robin
Wallace, rh Mr Ben
Warburton, David
Wann, Matt
Wating, Giles
Whately, Helen
Wheeler, Mrs Heather Waddington, rh Mr John
Wiggin, Bill
Williamson, rh Gavin
Wilson, rh Sammy
Wollaston, Dr Sarah
Wood, Mike
Wragg, Mr William
Wright, rh Jeremy
Zahawi, Nadhim
Llewellyn-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
McCarty, Kerry
McDonagh, Andy
McDonough, Stewart Malcolm
McDonald, Stuart C.
McDonnell, rh John
McFadden, rh Mr Pat
McGinn, Conor
McGovern, Alison
McInnes, Liz
McKinnell, Catherine
McMahon, Jim
McMorrin, Anna
Mearns, Ian
Miliband, rh Edward
Monaghan, Carol
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
Oon, Melanie
Onwurah, Chi
Osamor, Kate
Owen, Albert
Peacock, Stephanie
Pearce, Teresa
Pennycook, Matthew
Perkins, Toby
Phillips, Jess
Philipson, Bridget
Piddock, Laura
Platt, Jo
Pollard, Luke
Pound, Stephen
Powell, Lucy
Qureshi, Yasmin
Rashid, Faisal
Rayner, Angela
Reed, Mr Steve
Rees, Christina
Reeves, Ellie
Reeves, Rachel
Reynolds, Emma
Reynolds, Jonathan
Rimmer, Ms Marie
Robinson, Mr Geoffrey
Rodda, Matt
Rowley, Danielle
Ruane, Chris
Russell-Moyle, Lloyd
Ryan, rh Joan C.
Saville Roberts, Liz
Shah, Naz
Sharma, Mr Virendra
Sheppard, Tommy
Sherriff, Paula
Shuker, Mr Gavin
Siddiq, Tulip
Skinner, Mr Dennis
Slaughter, Andy
Smeeth, Ruth
Smith, Angela
Smith, Cat
Smith, Eisenhower
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
Sweeney, Mr Paul
Swinson, Jo
Tami, Mark
Thewiss, Alison
Thomas, Gareth
Thomas-Symonds, Nick
Thornberry, rh Emily
Timms, rh Stephen
Trickett, Jon
Turley, Anna
Turner, Karl
Twiig, Derek
Twiig, Stephen
Twist, Liz
Umunna, Chuka
Vaz, rh Keith
Vaz, Valerie
Walker, Thelma
Watson, Tom
West, Catherine
Western, Matt
Whitehead, Dr Alan
Whitfield, Martin
Whitford, Dr Philippa
Williams, Hywel
Williams, Dr Paul
Williamson, Chris
Wilson, Phil
Wishart, Pete
Woodcock, John
Yasin, Mohammad
Zeichner, Daniel

Tellers for the Noes:
Thangam Debbonaire and
Jeff Smith

Question accordingly agreed to.
Lords amendment 10 disagreed to.

Clause 17

Consequential and transitional provision

Motion made, and Question put. That this House disagrees with Lords amendment 43.—(Mr David Davis.)

The House divided: Ayes 322, Noes 306.

Division No. 174] [6.12 pm]

AYES

Adams, Nigel
Afolami, Bim
Afriyie, Adam
Aldous, Peter
Allan, Lucy
Allen, Heidi
Andrew, Stuart
Argar, Edward
Atkins, Victoria
Bacon, Mr Richard
Badenoch, Mrs Kemi
Baker, Mr Steve
Baldwin, Harriett
Barclay, Stephen
Baron, Mr John
Bebb, Guto
Bellingham, Sir Henry
Benyon, rh Richard
Beresford, Sir Paul
Berry, Jake
Blackman, Bob
Blunt, Crispin
Boles, Nick
Bone, Mr Peter
Bottomley, Sir Peter
Bowie, Andrew
Bradley, Ben
Bradley, rh Karen
Brady, Mr Graham
Braverman, Suella
Breerton, Jack
Bridgen, Andrew
Brine, Steve
Brookes, rh James
Bruce, Fiona
Buckland, Robert
Burchart, Alex
Burns, Conor
Burt, rh Alistair
Cairns, rh Alun
Campbell, Mr Gregory
Carlingford, James
Cash, Sir William
Caufield, Maria
Chalk, Alex
Chishi, Rehman
Chope, Sir Christopher
Churchill, Jo
Clark, Colin
Clark, rh Greg
Clarke, Mr Simon
Cleverly, James
Clifton-Brown, Sir Geoffrey
Coffey, Dr Thérèse
Collins, Damian
Costa, Alberto
Courts, Robert

Cox, Mr Geoffrey
Crabb, rh Stephen
Crouch, Tracey
Davies, Chris
Davies, David T. C.
Davies, Glyn
Davies, Mims
Davies, Philip
Davis, rh Mr David
Dinenage, Caroline
Diongoy, 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
Dudtridge, James
Duguid, David
Duncan, rh Sir Alan
Duncan Smith, rh Mr Iain
Dunne, Mr Philip
Ellis, Michael
Elwood, rh Mr Tobias
Elphicke, Charlie
Eustice, George
Evans, Mr Nigel
Evevennett, rh Sir David
Fabricant, Michael
Fallon, rh Sir Michael
Field, rh Frank
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 Nusrut
Gibb, rh Nick
Gillan, rh Dame Cheryl
Girvan, Paul
Glen, John
Goldsmith, Zac
Goodwill, rh Mr Robert
Gove, rh Michael
Graham, Lucy
Graham, Richard
Grant, Bill
Grant, Mrs Helen
Gray, James
Grayling, rh Chris
Green, Chris
Green, rh Damian
Greening, rh Justine
Grieve, rh Mr Dominic
Griffiths, Andrew
Gyimah, Mr Sam
Hair, Kirstene
Hallon, rh Robert
Hall, Luke
Hammond, rh Mr Philip
Hammond, Stephen
Hancock, rh Matt
Hands, rh Greg
Harper, rh Mr Mark
Harrington, Richard
Harris, Rebecca
Harvey, Judy
Hart, Simon
Hayes, rh Mr John
Heald, rh Mr John
Heeley, rh Sarah
Hele-Hawkins, Chris
Heaton-Jones, Peter
Henderson, Gordon
Herbert, rh Nick
Hinds, rh Damian
Hoare, Simon
Hoey, Kate
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, Margot
Javid, rh Sajid
Jayawardena, Mr Ranil
Jenkins, Sir Bernard
Jenkyns, Andrea
Jenrick, 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
Knight, Julian
Kwarteng, Kwasi
Lamont, John
Lancaster, rh Mark
Latham, Mrs Pauline
Leadsom, rh Andrea
Lee, Dr Phillip
Lefroy, Jeremy
Leigh, Sir Edward
Letwin, rh Sir Oliver
Lewer, Andrew
Lewis, rh Brandon
Lewis, rh Dr Julian
Liddell-Grainger, Mr lan
Liddington, 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
McPartland, Stephen
McVey, rh Ms Esther
Menzies, Mark
Merron, Johnny
Merriman, Huw
Metcalfe, Stephen
Miller, rh Mrs Maria
Milling, Amanda
Mills, Nigel
Milton, rh Mr 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 Sherryl
Murison, Dr Andrew
Neill, Robert
Newton, Sarah
Nokes, rh Caroline
Norman, Jesse
O’Brien, Neil
O’fford, Dr Matthew
Opperman, Guy
Paisley, Ian
Parish, Neil
Pattison, rh Mr Owen
Pawsey, Mark
Penning, rh Sir Mike
Penrose, John
Percy, Andrew
Perry, rh Claire
Philp, Chris
Pincher, Christopher
Poulter, Dr Dan
Pow, Rebecca
Prents, Victoria
Prisk, Mr Mark
Pritchard, Mark
Pursgrove, Tom
Quin, Jeremy
Quince, Will
Raab, Dominic
Redwood, rh John
Rees-Mogg, Mr Jacob
Robertson, rh Mr Laurence
Robinson, rh Gavin
Robinson, Mary
Rosenthal, Andrew
Ross, Douglass
Rowley, Lee
Rudd, rh Amber
Rutley, David
Sandbach, Antoinette
Scully, Paul
Seely, Mr Bob
Selous, Andrew
Shannon, Jim
Shapps, rh Grant
Sharma, Alok
Shelbrooke, Alec
Simpson, David
Simpson, rh Mr Keith
Skidmore, Chris
Smith, Chloe
Smith, Henry
Smith, rh Julian
Smith, Royston
Soames, rh Sir Nicholas
Spelman, rh Dame Caroline
Spencer, Mark
Stevenson, John
Stewart, Bob
Stewart, Iain
Stewart, Rory
Stride, rh Me
Stringer, Graham
Stuart, Graham
Studby, Julian
Sunak, Rishi
Swaine, rh Sir Desmond
Swire, rh Sir Hugo
Syms, Sir Robert
Thomas, Derek
Thomson, Ross
Throup, Maggie
Tohurst, Kelly
Tomlinson, Justin
Tomlinson, Michael
Tracey, Craig
Tredinnick, David
Trevelyan, Mrs Anne-Marie
Truss, rh Elizabeth
Tugendhat, Tom
Vaizey, rh Mr Edward
Vara, Mr Shailesh
Vickers, Martin
Villiers, rh Theresa
Walker, Mr Charles
Walker, Mr Robin
Wallace, rh Mr Ben
Warburton, David
Warren, Matt
Watling, Giles
Whately, Helen
Wheeler, Mrs Heather
Whittingdale, rh Mr John
Wiggin, Bill
Williamson, rh Gavin
Wilson, rh Sammy
Wollaston, Dr Sarah
Wood, Mike
Wrapp, Mr William
Wright, rh Jeremy
Zahawi, Nadhim

Tellers for the Ayes:

Craik Whittaker and Andrew Stephenson

NOES

Abbott, rh Ms Diane
Abrahams, Debbie
Ali, Rushanara
Alin-Khan, Dr Rosena
Amesbury, Mike
Antoniazzi, Tonia
Ashworth, Jonathan
Austin, Ian
Bailey, Mr Adrian
Bardall, Hannah
Barron, rh Sir Kevin
Beckett, rh Margaret
Benn, rh Hilary
Berger, Luciana
Betts, Mr Clive
Black, Mhairi
Blackford, rh Ian
Blackman, Kirsty
Blackman-Woods, Dr Roberta
Blomfield, Paul
Brabin, Tracy
Bradowh, rh Mr Ben
Brake, rh Tom
Brennan, Kevin
Brock, Deidre
Brown, Allen
Brown, Lyn
Brown, rh Mr Nicholas
Bryant, Chris
Buck, Mrs 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, Douglas
Chapman, Jenny
Charalambous, Bambos
Cherry, Joanna
Clarke, rh Mr Kenneth
Clwyd, rh Ann
Coaker, Vernon
Coffey, Ann
Cooper, Julie
Cooper, Rosie
Cooper, rh Yvette
Corbyn, rh Jeremy
Cowan, Ronnie
Coye, Neil
Crawley, Angela
Creagh, Mary
Creasy, Stella
Cruddas, Jon
Cryer, John
Cummins, Judith
Cunningham, Alex
Cunningham, Mr Jim
Dakin, Nic
Davey, rh Sir Edward
David, Wayne
Davies, Geraint
Day, Martyn
De Cordova, Marsha
De Piero, 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, Dame Louise
Elmore, Chris
Esterson, Bill
Evans, Chris
Farrelly, Paul
Farron, Tim
Fellows, Marion
Fitzpatrick, Jim
Fletcher, Colleen
Flint, rh Caroline
Flynn, Paul
Foyargue, Yvonne
Foxcroft, Vicky
Frith, James
Furniss, Gill
Gaffney, Hugh
Gapes, Mike
Gardner, Barry
George, Ruth
Gethins, Stephen
Gibson, Patricia
Gill, Preet Kaur
Glindon, Mary
Godsiff, Mr Roger
Goodman, Helen
Grady, Patrick
Grant, Peter
Gray, Neil
Green, Kate
Greenwood, Lilian
Greenwood, Margaret
Griffith, Nia
Grogan, John
Gwynne, Andrew
Haigh, Louise
Hamilton, Fabian
Hardy, Emma
Harman, rh Ms Harriet
Harris, Carolyn
Hayes, Helen
Hayman, Sue
Healey, rh John
Hendrick, Sir Mark
Hendry, Drew
Hepburn, Mr Stephen
Hermon, Lady
Hill, Mike
Hiller, Meg
Hobhouse, Wera
Hodge, rh Dame Margaret
Hodgson, Mrs Sharon
Hollem, Kate
Hosie, Stewart
Howarth, rh Mr George
Huq, Dr Rupa
Hussain, Imran
Jardine, Christine

Jarvis, Dan
Johnson, Diana
Jones, Darren
Jones, Gerald
Jones, Graham P.
Jones, Helen
Jones, rh Mr Kevan
Jones, Susan Elan
Kane, Mike
Keeley, Barbara
Kendall, Liz
Khan, Afzal
Kilren, 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
Lewin, Lisa
Lewis, Mr Ivan
Lindon, David
Lloyd, Stephen
Lloyd, Tony
Longo, 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, Andy
Maskell, Rachael
Matheson, Christian
Mc Nally, John
McCabe, Steve
McCarthy, Kerry
McDonagh, Siobhain
McDonald, Andy
McDonald, Steward Malcolm
McDonald, Stuart C.
McDonnell, rh John
McFadden, rh Mr Pat
McGinn, Conor
McGovern, Alison
McInnes, Liz
McKinnell, Catherine
McMahon, Jim
McMorrin, Anna
Mears, Ian
Milliband, 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’Marca, Jared
Onasanya, Fiona
Onn, Melanie
Onwurah, Chi
Osamor, Kate
Owen, Albert
Peacock, Stephanie
Pearce, Teresa
Penneycock, Matthew
Perkins, Toby
Phillips, Jess
Phillipson, Bridget
Piddock, Laura
Platt, Jo
Pollard, Luke
Pound, Stephen
Powell, Lucy
Qureshi, Yasmin
Rashid, Faisal
Rayner, Angela
Reed, Mr Steve
Rees, Christina
Reeves, Ellie
Reeves, Rachel
Reynolds, Emma
Reynolds, Jonathan
Rimmer, Ms Marie
Robinson, Mr Geoffrey
Rodda, Matt
Rowley, Danielle
Ruane, Chris
Russell-Moyle, Lloyd
Ryan, rh Joan
Raville Roberts, Liz
Shah, Naz
Sharma, Mr Virendra
Sheerman, Mr Barry
Sheppard, Tommy
Sheriff, 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
Smyle, Karin
Snell, Gareth
Sobell, Alex
Soubry, rh Anna
Spellar, rh John
Starmer, rh Keir
Stephens, Chris
Stevens, Jo
Stone, Jamie
Streeting, Wes
Sweeney, Mr Paul
Swinson, Jo
Tami, Mark
Thewlis, Alison
Thomas, Gareth
Thomas-Symonds, Nick
Thornberry, rh Emily
Timms, rh Stephen
Trickett, Jon
Turley, Anna
Turner, Karl
Twig, Derek
Twig, Stephen
Twist, Liz
Umunna, Chuka
Vaz, rh Keith
Vaz, Valerie
Walker, Thelma
Watson, Tom
West, Catherine
Western, Matt
Whitehead, Dr Alan
Whitting, Martin
Whitford, Dr Philippa
Williams, Hywel
Williams, Dr Paul
Williamson, Chris
Wilson, Phil
Wisart, Pete
Woodcock, John
Yasin, Mohammad
Zeichner, Daniel

Tellers for the Noes:
Thangam Debbonaire and
Jeff Smith

Question accordingly agreed to.
Lords amendment 43 disagreed to.

Motion made, and Question put. That this House
disagrees with Lords amendment 45.—(Mr David Davis.)

The House divided: Ayes 317, Noes 306.

Division No. 175] [6.25 pm

AYES

Adams, Nigel
Afolami, Bim
Afriyie, Adam
Aldous, Peter
Allan, Lucy
Allen, Heidi
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
The House divided: Ayes 321, Noes 305.

Division No. 176

[6.38 pm]

**AYES**

- Adams, Nigel
- Afriyie, Adam
- Aldous, Peter
- Allan, Lucy
- Allen, Heidi
- 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
- Boies, Nick
- Bone, Mr Peter
- Bottomley, Sir Peter
- Bowie, Andrew
- Bradley, Ben
- Bradley, rh Karen
- Brady, Sir Graham
- Braverman, Suella
- Breer, Jack
- Bridgen, Andrew
- Brine, Steve
- Brokenshire, rh James
- Bruce, Fiona
- Buckland, Robert
- Burghart, Alex
- Burns, Conor
- Burt, rh Alistair
- 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
- **Tellers for the Noes:**
  - Thangam Debbonaire and
  - Jeff Smith

**Question accordingly agreed to.**

Lords amendment 45 disagreed to.

**Clause 9**

**IMPLEMENTING THE WITHDRAWAL AGREEMENT**

Motion made, and Question put, That this House disagrees with Lords amendment 20.—(Mr David Davis.)

The House divided: Ayes 321, Noes 305.
Blackman, Kirsty
Blackman-Woods, Dr Roberta
Blomfield, Paul
Brabin, Tracy
Bradshaw, rh Mr Ben
Brais, rh Tom
Brennan, Kevin
Brock, Deidre
Brown, Alan
Brown, Lyn
Brown, rh Mr Nicholas
Bryan, 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, rh Mr Ronnie
Carden, Dan
Carmichael, rh Mr Alistair
Champion, Sarah
Chapman, Douglas
Chapman, Jenny
Charalamous, Bambos
Cherry, Joanna
Clarke, rh Mr Kenneth
Clywd, rh Ann
Coaker, Vernon
Coffey, Ann
Cooper, Julie
Cooper, Rosie
Cooper, rh Yvette
Corbyn, rh Jeremy
Cowan, Ronnie
Coyle, Neil
Crawley, Angela
Creagh, Mary
Creasy, Stella
Cruddas, Jon
Cryer, John
Cummins, Judith
Cunningham, Alex
Cunningham, rh 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
Dodds, Anneliese
Doughtey, Stephen
Dowd, Peter
Drew, Dr David
Dromey, Jack
Duffield, Rosie
Eagle, Ms Angela
Eagle, Maria
Edwards, Jonathan
Elford, Clive
Elliot, Julie
Ellman, Dame Louise
Ellmore, Chris
Esterson, Bill
Evans, Chris
Farrell, Paul
Farron, Tim
Fellows, Marion
Fitzpatrick, Jim
Fletcher, Collen
Fint, rh Caroline
Flynn, Paul
Fovargue, Yvonne
Foxcroft, Vicky
Firth, James
Furniss, Gill
Gaffney, Hugh
Gapes, Mike
Gardiner, Barry
George, Ruth
Gethins, Stephen
Gibson, Patricia
Gill, Preet Kaur
Gildon, Mary
Goddiss, Mr Roger
Goodman, Helen
Grady, Patrick
Grant, Peter
Gray, Neil
Green, Kate
Greenwood, Lilian
Greenwood, Margaret
Griffith, Nina
Grogan, John
Gwynne, Andrew
Haigh, Louise
Hamilton, Fabian
Hardy, Emma
Harman, rh Ms Harriet
Harris, Carolyn
Hayes, Helen
Hayman, Sue
Healey, rh John
Hendrick, Sir Mark
Hendry, Drew
Hepburn, Mr Stephen
Hermon, Lady
Hill, Mike
Hillier, Meg
Hobhouse, Wera
Hodge, rh Dame Margaret
Hodgson, Mrs Sharon
Hollern, Kate
Hosie, Stewart
Howarth, rh Mr George
Huq, Dr Rupa
Hussain, Imran
Jardine, Christine
Jarvis, Dan
Johnson, Diana
Jones, Darren
Jones, Gerald
Jones, Graham P.
Jones, Helen
Jones, rh Mr Kevan
Jones, Sarah
Jones, Susan Elan
Kane, Mike
Keeley, Barbara
Kendall, Liz
Khan, Atzal
Killen, Ged
Kinnock, Stephen
Kyle, Peter
Laird, Lesley
Lake, Ben
Lamb, rh Norman
Lammy, rh Mr David
Lavery, Ian
Law, Chris
Lee, Karen
Leslie, rh Ms Chris
Lewell-Buck, Mrs Emma
Lewis, Clive
Lewis, rh Mr Ivan
Lindell, David
Lloyd, Tony
Long Bailey, Rebecca
Lucas, Caroline
Lucas, Ian C.
Lynch, Holly

NOES

Abbott, rh Ms Diane
Abrahams, Debbie
Ali, Rushanara
Allin-Khan, rh Dr Rosena
Amessbury, Mike
Antoniazzi, Tonia
Ashworth, Jonathan
Austin, Ian
Bailey, Mr Adrian
Bardell, Hannah
Barron, rh Sir Kevin
Beckett, Margaret
Benn, rh Hilary
Berger, Luciana
Betts, Mr Clive
Black, Mhairi
Spelman, rh Dame Caroline
Spencer, Mark
Stephenson, Andrew
Stevenson, John
Stewart, Bob
Stewart, Iain
Stewart, Rory
Stirte, rh Mel
Stringer, Graham
Sturty, Julian
Sunak, Rishi
Swayne, rh Sir Desmond
Swire, rh Sir Hugo
Sym, rh Sir Robert
Thomas, Derek
Thomson, Ross
Thorp, Maggie
Tolhurst, Kelly
Tomlinson, Justin
Tomlinson, Michael
Tracey, Craig
Tredinnick, David
Trevelyan, Mrs Anne-Marie
Truss, rh Elizabeth
Tugendhat, Tom
Vaizey, rh Mr Edward
Vara, Mr Shailesh
Vickers, Martin
Villiers, rh Theresa
Walker, Mr Charles
Walker, rh Mr Robin
Wallace, rh Mr Ben
Warburton, David
Warman, Matt
Watling, Giles
Whately, Helen
Wheeler, Mrs Heather
Whitaker, Craig
Whittingdale, rh Mr John
Wiggin, Bill
Williamson, rh Gavin
Wilson, rh Sammy
Wollaston, Dr Sarah
Wood, Mike
Wragg, rh William
Wright, rh Jeremy
Zahawi, Nadhim

Tellers for the Ayes:
Paul Maynard and
Stuart Andrew

Botterill, Paul
Byrne, rh Liam
Cable, rh Sir Vince
Cadbury, Ruth
Cameron, Dr Lisa
Campbell, rh Mr Alan
Campbell, rh Mr Ronnie
Carden, Dan
Carmichael, rh Mr Alistair
Champion, Sarah
Chapman, Douglas
Chapman, Jenny
Charalamous, Bambos
Cherry, Joanna
Clarke, rh Mr Kenneth
Clwyd, rh Ann
Coaker, Vernon
Coffey, Ann
Cooper, Julie
Cooper, Rosie
Cooper, rh Yvette
Corbyn, rh Jeremy
Cowan, Ronnie
Coyle, Neil
Crawley, Angela
Creagh, Mary
Crays, Stella
Cruddas, Jon
Cryer, John
Cummins, Judith
Cunningham, Alex
Cunningham, rh 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
Dodds, Anneliese
Doughtey, Stephen
Dowd, Peter
Drew, Dr David
Dromey, Jack
Duffield, Rosie
Eagle, Ms Angela
Eagle, Maria
Edwards, Jonathan
Elford, Clive
Elliot, Julie
Ellman, Dame Louise
Ellmore, Chris
Esterson, Bill
Evans, Chris
Farrell, Paul
Farron, Tim
Fellows, Marion
Fitzpatrick, Jim
Fletcher, Collen
Fint, rh Caroline
Flynn, Paul
Fovargue, Yvonne
Foxcroft, Vicky
Firth, James
Furniss, Gill
Gaffney, Hugh
Gapes, Mike
Gardiner, Barry
George, Ruth
Gethins, Stephen
Gibson, Patricia
Gill, Preet Kaur
Gildon, Mary
Goddiss, Mr Roger
Goodman, Helen
Grady, Patrick
Grant, Peter
Gray, Neil
Green, Kate
Greenwood, Lilian
Greenwood, Margaret
Griffith, Nina
Grogan, John
Gwynne, Andrew
Haigh, Louise
Hamilton, Fabian
Hardy, Emma
Harman, rh Ms Harriet
Harris, Carolyn
Hayes, Helen
Hayman, Sue
Healey, rh John
Hendrick, Sir Mark
Hendry, Drew
Hepburn, Mr Stephen
Hermon, Lady
Hill, Mike
Hillier, Meg
Hobhouse, Wera
Hodge, rh Dame Margaret
Hodgson, Mrs Sharon
Hollern, Kate
Hosie, Stewart
Howarth, rh Mr George
Huq, Dr Rupa
Hussain, Imran
Jardine, Christine
Jarvis, Dan
Johnson, Diana
Jones, Darren
Jones, Gerald
Jones, Graham P.
Jones, Helen
Jones, rh Mr Kevan
Jones, Sarah
Jones, Susan Elan
Kane, Mike
Keeley, Barbara
Kendall, Liz
Khan, Atzal
Killen, Ged
Kinnock, Stephen
Kyle, Peter
Laird, Lesley
Lake, Ben
Lamb, rh Norman
Lammy, rh Mr David
Lavery, Ian
Law, Chris
Lee, Karen
Leslie, rh Ms Chris
Lewell-Buck, Mrs Emma
Lewis, Clive
Lewis, rh Mr Ivan
Lindell, David
Lloyd, Tony
Long Bailey, Rebecca
Lucas, Caroline
Lucas, Ian C.
Lynch, Holly
Mr Paul Sweeney (Glasgow North East) (Lab/Co-op): On a point of order, Mr Speaker. I want to raise a real concern among Labour Members. We voted against the programme motion—we presented an alternative—and we will not be able to debate our amendment on the devolution settlement in the House because we will not have sufficient time. We therefore—[Interruption.]

Mr Speaker: Order. Mr Sweeney, you are usually the epitome of urbanity and restraint. There is an enormous amount of gesticulation taking place of a very unseemly character, of which our witnesses, sitting cerebrally in the Gallery, would almost certainly very strongly disapprove. [Interruption.] Order. A Government Whip chutters from a sedentary position, “They love it.” I do not know whether he has conducted his own opinion poll, but they may not be a homogeneous group—some of them may love it and some of them may not, but we do not know. We are going to hear from the hon. Member for Glasgow North East (Mr Sweeney), who is himself a most cerebral individual, and then we will proceed.

Mr Sweeney: Insufficient parliamentary time has been allocated for debate. We presented an alternative programme motion that would have afforded sufficient time. I therefore seek your advice, Mr Speaker, in relation to how the Labour party will stand up for the people of Scotland and the devolution settlement, and how we can deliver that amendment. It is not acceptable that we are unable to debate it in Government time, so we seek your advice.

Mr Speaker: I always take the hon. Gentleman extremely seriously—[Interruption.] Order. I most certainly do. He is a very assiduous new Member of this House, and I do. However, I hope he will not take it amiss if I say that I think what he has just said amounted to a declaration of intent on his own behalf and that of his colleagues to get his message across. I am not sure that, in any meaningful sense at this point, he is really in need of my advice. In so far as he wants my advice, my general advice to all colleagues is a word beginning with t—persist. Persist, man! A Government Whip manned the Government Benches. I urge all colleagues to get his message across. I am not sure that, in any meaningful sense at this point, he is really in need of my advice. In so far as he wants my advice, my general advice to all colleagues is a word beginning with t—persist. Persist, man!

Ian Blackford (Ross, Skye and Lochaber) (SNP) rose—

Angus Brendan MacNeil rose—

Mr Speaker: Order. Mr Blackford, you are usually the epitome of urbanity and restraint. There is an enormous amount of gesticulation taking place of a very unseemly character, of which our witnesses, sitting cerebrally in the Gallery, would almost certainly very strongly disapprove. [Interruption.] Order. The hon. and learned Member for Edinburgh South West (Joanna Cherry) should calm herself. I will hear fully from the right hon. Member for Ross, Skye and Lochaber (Ian Blackford) up; it would be a pity to squander him too early in our proceedings—[Interruption.] Order. The hon. and learned Member for Edinburgh South West (Joanna Cherry) should calm herself. I will hear fully from the right hon. Gentleman when he is ready. All I am suggesting to colleagues—it is a most cerebral individual, and then we will proceed.

Mr Speaker: I always take the hon. Gentleman extremely seriously. Insufficient parliamentary time has been allocated for debate. We presented an alternative programme motion that would have afforded sufficient time. I therefore seek your advice, Mr Speaker, in relation to how the Labour party will stand up for the people of Scotland and the devolution settlement, and how we can deliver that amendment. It is not acceptable that we are unable to debate it in Government time, so we seek your advice.

Ian Blackford (Ross, Skye and Lochaber) (SNP) rose—

Angus Brendan MacNeil rose—

Mr Speaker: Order. I think that it is better if we—[Interruption.] Order. I am saving the right hon. Member for Ross, Skye and Lochaber (Ian Blackford) up; it would be a pity to squander him too early in our proceedings—[Interruption.] Order. The hon. and learned Member for Edinburgh South West (Joanna Cherry) should calm herself. I will hear fully from the right hon. Gentleman when he is ready. All I am suggesting to colleagues—it is a most cerebral individual, and then we will proceed.

Question accordingly agreed to.
Lords amendment 20 disagreed to.
Mr Speaker: I am coming to the hon. Gentleman, too. Lords amendments 11 to 14, 18, 21 to 23, 44, 47, 102 to 107, 112, 113, 115 to 119, 121 to 124, 126, 127, 130 to 134, 136 to 140, 142 to 148, 150, 152, 154, 156 to 158, 171 and 172 agreed to, with Commons financial privileges waived in respect of Lords amendments 13, 18, 22 and 121 to 124.

Mr Speaker: As the House is in a state of repose, I suggest, building on earlier conversations that perfectly properly took place with the Chair, that we come now to the next Lords amendment, but if the right hon. Member for Ross, Skye and Lochaber, who leads his party, would prefer to raise his point of order now, I will be perfectly sanguine about that.

Ian Blackford indicated dissent.

Mr Speaker: No. He will come to it afterwards. Very good; I am grateful to him for his guidance.

Before Clause 10

CONTINUATION OF NORTH-SOUTH CO-OPERATION AND THE PREVENTION OF NEW BORDER ARRANGEMENTS

The Chancellor of the Duchy of Lancaster and Minister for the Cabinet Office (Mr David Lidington): I beg to move Government amendment (a) to Lords amendment 25.

Mr Speaker: With this it will be convenient to discuss the following:
Lords amendment 25, and Government amendments (b) to (e) thereto.
Lords amendments 15 to 17.
Lords amendment 26, and amendments (a) to (k) thereto.
Lords amendments 27 to 31, 46, 48 to 50 and 54 to 58.
Lords amendment 59, and amendments (a) to (d) thereto.
Lords amendments 60 to 101, 108, 109, 111, 114, 120, 129, 135, 141, 149, 151, 153, 155, 162, 165, 169, and 173 to 196.

Mr Lidington: This group of amendments covers two subjects: first, the operation of competences returning to this country from the European Union that intersect with devolved competences under the three devolution settlements; and, secondly, the Lords amendment on Northern Ireland and the Belfast agreement.

Let me turn first to the matters that apply to devolution. In its original form, the Bill, in what was then clause 11, provided for all those powers to be held initially at Westminster and transferred to a devolved level only when agreement had been reached on an appropriate UK-wide framework to protect and preserve the UK single market and respect our international obligations. The key charge against the old clause was that it was not right to hold otherwise devolved powers returning from the EU in Westminster by default.

Pete Wishart (Perth and North Perthshire) (SNP): Is the right hon. Gentleman not ashamed, embarrassed and appalled that we have only 15 minutes to discuss these critical devolution issues? These amendments were designed in the House of Lords, but we, the directly elected Members, have not had the opportunity to debate them. Is he not ashamed of himself?

Mr Lidington: No. I think that the Government allowed perfectly adequate time for debate on these issues. As the hon. Gentleman knows, these questions on devolution matters have been discussed in great detail by me, my Ministers and officials, and the Welsh and Scottish Governments and legislatures for many months. As I hope to explain, the Government have made very substantial compromises to address precisely the concerns raised by both Scotland and Wales. I am pleased that the Welsh Government have accepted the merits of the compromise we proposed and reached an agreement.

7 pm

We listened carefully to the contributions made by hon. Members and Members of the House of Lords, the views of the devolved Governments and legislatures, and the concerns of business and other stakeholders, particularly those in Wales, Scotland and Northern Ireland. The revised approach we worked on with the Scottish and Welsh Governments means that, by default, all decision-making powers returning from the EU that intersect with devolved competence will pass directly to Cardiff, Edinburgh and Belfast unless we take explicit steps to preserve temporarily an existing EU framework. Of the 153 areas of policy returning from Brussels that intersect with devolved competences, the great majority will now go straight to the devolved level. Some will require a non-legislative framework such as a memorandum of understanding. In only 24 out of 153 areas of policy we think that a legislative framework would be needed and that we may need to consider a temporary freeze of current arrangements exercised at EU level, which have been accepted by the devolved Governments in Scotland and Wales for many, many years. We would do so to give certainty and clarity for businesses.

We have also addressed criticisms that the effect of the old clause 11—now clause 15—might be indefinite, despite our clear intention that the arrangement should be temporary. That matter has been firmly put to bed. We are subjecting the powers we seek in the Bill to a sunset provision, meaning that freezing regulations can be made only for up to two years after exit day, following which the power to make regulations will lapse all together. Regulations made under this power may only last for a maximum of up to five years. We hope that in most cases we will be able to get agreement on a long-term future UK framework to protect the United Kingdom’s internal market and that the freezing power can therefore be ended much sooner than the five-year maximum period.

Martin Whitfield (East Lothian) (Lab): Does not the Minister agree that there might be more confidence in the Government’s approach if he had managed to table his amendments in this House before the Bill went to the other place?

Mr Lidington: The purpose of a parliamentary process is to examine in detail. In respect of these clauses, the House of Lords has done its job as a constructive revising Chamber. I certainly had very good conversations
with Members of the House of Lords from the Labour and Liberal Democrat parties, as well as those from my own party and Cross Benchers. As I said, we continued very detailed conversations with not just the Welsh Government, who have agreed, but the Scottish Government. I want to put on record that although we have not been able to reach a final agreement, the Scottish Government have engaged for many months in a very constructive fashion. Many of the detailed changes embodied in this group of amendments actually reflect things that the Scottish Government, as well as the Welsh Government, sought from us.

We have, alongside the amendments, designed, working with the devolved Governments, a comprehensive intergovernmental agreement. This makes it clear that the UK Government will always seek agreement from the devolved Governments and should act by agreement, wherever possible. In response to the request from both Wales and Scotland, we have underpinned that principle with a commitment that we will not normally ask the UK Parliament to approve regulations to preserve existing frameworks without devolved consent for those regulations.

Jonathan Edwards (Carmarthen East and Dinefwr) (PC): Is it not the case that the Minister is placing legal constraints on the Governments of Wales and Scotland, but only political constraints on the Westminster Government?

Mr Lidington: It is simply not possible, by legislation, to constrain the UK Parliament. The UK Parliament is sovereign. I know the hon. Gentleman’s party in the Westminster Parliament, a comprehensive intergovernmental agreement. This makes it clear that the UK Government will always seek agreement from the devolved Governments and should act by agreement, wherever possible. In response to the request from both Wales and Scotland, we have underpinned that principle with a commitment that we will not normally ask the UK Parliament to approve regulations to preserve existing frameworks without devolved consent for those regulations.

Ian Blackford: I am grateful to the Minister for giving way. Does he not acknowledge that when we passed the Scotland Act 1998—the right hon. Gentleman was a Member of Parliament at the time—it was very specific about what are reserved matters? We cannot get away from the fact that this Government are doing is legislatively on matters that are devolved. This is a power grab. Will the Secretary of State commit today not to legislate without a legislative consent motion from the Scottish Parliament on behalf of the Scottish people?

Mr Lidington: Not only do the agreements that we have reached with the Welsh Government and embodied in these amendments respect the devolution settlement—indeed, Welsh Ministers have said very firmly that they believe that devolution is fully respected—but I think that we have complied in full with our obligations under the Sewel convention. The right hon. Gentleman should look again at the statement by Mr Mike Russell, the Minister for UK Negotiations on Scotland’s Place in Europe from the Scottish Government, who described the situation we are in as a “novel” one and said: “In normal times, such a bill would follow a normal timetable, but these are not normal times.”—[Scottish Parliament, Official Report, 1 March 2018; c. 29.]

It is the Scottish Government who are saying that we are not in a normal situation.

Ross Thomson (Aberdeen South) (Con): At a time when President Donald Trump and Kim Jong-un, the most difficult of partners, can show that an agreement can be reached, is it not telling that the only person who cannot reach an agreement is Nicola Sturgeon, because all the SNP cares about is grievance and independence?

Mr Lidington: My hon. Friend puts his finger on the truth. It is of course a great disappointment that the Labour party in the Scottish Parliament, despite its protestations of Unionism, on this occasion decided to ally itself with the Scottish nationalists.

Luke Graham (Ochil and South Perthshire) (Con): Will my right hon. Friend confirm that the 119 powers coming to the Scottish Parliament and the 24 powers being reserved are exactly what people in Scotland want? It strengthens devolution but maintains Scotland in the United Kingdom. Does he also agree that perhaps if Holyrood had had more than 25 hours of debate versus the 252 hours of debate here, we could have reached an agreement, and we would not be here today?

Mr Lidington: I am grateful to my hon. Friend for reminding the House that we should bear in mind, when listening to the criticisms of the allocation of time here, that it is sometimes a question of people living in a glass house flinging rocks around. I say to him, too, that of course Scottish business has been very clear that we need UK-wide frameworks to protect a single UK market that brings great benefits both to Scottish business and Scottish consumers. It is only a few weeks since the Scottish Retail Consortium, the Scottish Food and Drink Federation and the Scottish Bakers said in terms in public that the maintenance of United Kingdom-wide frameworks on such matters as food standards and food labelling was of vital importance to the future wellbeing of their member companies and the customers whom they serve.

Ian Murray: While Government MPs and the SNP fight over flags, I would rather fight for my constituents, so can the Minister tell the House when I will be able to debate this particular clause on behalf of my constituents, because this elected House has had no time either to debate that clause or the very important issues in Northern Ireland and in Wales?

Mr Lidington: I say to the hon. Gentleman, who I suspect does not share the views of the Labour party at Holyrood on this matter, that he should address his concerns and criticisms to his own Front-Bench team. It was their decision to divide, but it was approaching
the ridiculous for us to have three separate Divisions on whether the word “necessary” should replace the word “appropriate”. It was open to the Opposition to accept a single vote grouping those three amendments, but they chose not to, and that has used up a significant amount of our time.

We have ensured that no existing power will be taken from the devolved institutions and have provided for a significant increase in the decision-making powers of the devolved Administrations after exit. In doing so, however, we have also made sure that we do not compromise on those important common approaches we have to safeguard our internal market, manage our common resources and allow us to be an open and competitive trading nation as we develop new arrangements to replace the EU frameworks.

**Jenny Chapman (Darlington) (Lab):** Will the Minister accept that the programme motion passed earlier today has led to the ridiculous situation that these important amendments, including amendments on the Irish border, have to be debated in such a short period and it looks as though his is the only voice that will be heard?

**Mr Lidington:** There is a balance between my giving way frequently and allowing more time for others to speak. I repeat to the hon. Lady that it was the choice of her Front-Bench team to have 11 or 12 Divisions, in a number of cases duplicating in one Division what had already been determined in another.

I will turn now to Lords amendment 25 on the Northern Ireland border. In many ways, the amendment is, as a number of noble Lords noted, a statement of Government policy and was prompted very eloquently in the Lords by my noble Friend Lord Patten. It seeks to ensure that we will not act incompatibly with the Northern Ireland Act 1998 and that we will have due regard to the joint report of December last year. It seeks to protect north-south co-operation between Northern Ireland and Ireland and to prevent, among other things, physical infrastructure on the border with Ireland.

**Nigel Dodds (Belfast North) (DUP):** I welcome the decision to tidy up the jurisdiction and sovereignty issues raised in the House of Lords in the Patten amendment. Will the Minister confirm that the powers in the amendment are restricted purely to the purposes of the Bill?

**Mr Lidington:** I can confirm that the right hon. Gentleman’s interpretation of the Government amendment in lieu is exactly as he has described.

**Lady Hermon (North Down) (Ind):** The Minister will be well aware that there is considerable concern in Northern Ireland that we should have no hard border. The Government have repeatedly confirmed their commitment to that, and I do not doubt the Minister’s bona fides, but that commitment appears to be contradicted on the ground by decisions of the Chief Constable of the Police Service of Northern Ireland, who has in recent weeks asked for funding for up to 400 additional police officers for operational duties along the border post Brexit and, significantly, is retaining three disused border police stations. What does the Minister think he is doing? Is he preparing for a hard border?

**Mr Lidington:** As the hon. Lady knows, Ministers in the United Kingdom Government have no power to direct or even give guidance to the Chief Constable of the Police Service of Northern Ireland or the Northern Ireland Policing Board. The Government could not have been clearer about our commitment to ensuring no hard border between Northern Ireland and the Republic of Ireland. That was a key element of the joint report agreed last December, and it is a commitment that the Prime Minister described in her Mansion House speech as a fundamental underlying principle of our approach to our negotiations with the European Union.

We said in the House of Lords that we agreed with the spirit and intent of Lord Patten’s amendment, but that it was not drafted in a legally appropriate way. We therefore tabled a number of amendments to try to tidy it up and ensure that it was in a fit form, which I hope will command consensus in the House. It reflects the reality that the withdrawal agreement—
European Union (Withdrawal) Bill
12 JUNE 2018
European Union (Withdrawal) Bill

Tellers for the Ayes:
Poulter, Dr Dan
Purfield, Victoria
Priti, Mark
Pursglove, Tom
Quin, Jeremy
Quince, Will
Raab, Dominic
Redwood, r John
Rees-Mogg, Mr Jacob
Roberts, Mr Laurence
Robinson, Gavin
Robinson, Mary
Rosindell, Andrew
Ross, Douglas
Rowley, Lee
Rudd, r Amber
Rutley, David
Sandbach, Antoinette
Scully, Paul

Main, Mrs Anne
Mak, Alan
Malhteuse, Kit
Mann, Scott
Masterton, Paul
McLoughlin, r Sir Patrick
McPartland, Stephen
McVey, r Ms Esther
Menzies, Mark
Merrion, Huw
Metcalfe, Stephen
Millar, r Mrs Maria
Milling, Amanda
Mills, Nigel
Milton, r Anne
Mitchell, r Mr Andrew
Moore, Damien
Mordaunt, r Penny
Morgan, r Nicky
Morris, Anne Marie
Morris, David
Morris, James
Morton, Wendy
Mundell, r David
Murray, Mrs Sherryl
Murrison, Dr Andrew
Neill, Robert
Newton, Sarah
Nokes, r Caroline
Norman, Jesse
O’Brien, Neil
Offord, Dr Matthew
Opperman, Max
Paisley, Ian
Parish, Neil
Patel, r Priti
Paterson, r Mr Owen
Pawsey, Mark
Penning, r Sir Mike
Penrose, John
Percy, Andrew
Perry, r Claire
Philp, Chris
Pincher, Christopher
Poulter, Dr Dan
Pow, Rebecca
Prentis, Victoria
Prisk, r Mr Mark
Pritchard, Mark
Purcell, Tom
Quine, Will
Quince, William
Raab, Dominic
Redwood, r John
Rees-Mogg, Mr Jacob
Robertson, Mr Laurence
Robinson, Gavin
Robinson, Mary
Rosindell, Andrew
Ross, Douglas
Rowley, Lee
Rudd, r Amber
Rutley, David
Sandback, Antoinette
Scully, Paul

Seely, Mr Bob
Selous, Andrew
Shannon, Tim
Shapps, r Grant
Sharma, Alok
Shelbrooke, Alec
Simpson, David
Simpson, r Mr Keith
Skidmore, Chris
Smith, Chloe
Smith, Henry
Smith, r Julian
Smith, Royston
Soames, r Sir Nicholas
Spelman, r Dame Caroline
Spencer, Mark
Stephenson, Andrew
Stevenson, John
Stewart, Bob
Stewart, lain
Stewart, Rory
Stride, r Mel
Stuart, Graham
Sturdy, Julian
Sunak, Rishi
Swayne, r Sir Desmond
Swire, r Sir Hugo
Syms, Sir Robert
Thomas, Derek
Thomson, Ross
Throup, Maggie
Tohurth, Kelly
Tomlinson, Justin
Tomlinson, Michael
Tracey, Craig
Tredinnick, David
Trevelyan, Mrs Anne-Marie
Truss, r Elizabeth
Tugendhat, Tom
Vaizey, r Mr Edward
Vara, Mr Shailesh
Vickers, Martin
Villiers, r Theresa
Walker, Mr Charles
Walker, Mr Robin
Wallace, r Mr Ben
Warburton, David
Warman, Matt
Watling, Giles
Whately, Helen
Wheeler, Mrs Heather
Whittaker, Craig
Whittingdale, r Mr John
Wiggin, Bill
Williamson, rh Gavin
Wilson, r Sammy
Wollaston, Dr Sarah
Wood, Mike
Wragg, r William
Wright, r Jeremy
Zahawi, Nadhim

NOES
Blackman, Kirsty
Brock, Deidre
Brown, Alan
Question accordingly agreed to.

Lords amendments agreed to, with Commons financial privileges waived in respect of Lords amendment 72.
On the subject of the absence of a legislative consent motion from the Scottish Parliament, I can merely observe that I have no powers to stay—I use that term in a technical sense—in that context—or to interrupt proceedings because there is no such motion passed. Whatever the very understandable sense of grievance that exists, which I am not disputing or arguing against or for, I am satisfied that, so far as the Chair is concerned, I can with authority say that the House has complied with its Standing Orders.

That may be very, very, very far from comforting or satisfactory to Members who are aggrieved. I understand what they are telling me, but the House has complied with its Standing Orders. That is the first point. There is in that sense no procedural impropriety, but the absence of procedural impropriety does not mean that people do not feel aggrieved for other reasons or on other grounds.

Secondly, both Members in a sense asked me, “Well, what recourse do we have?” Perhaps I should start by saying what recourse Members do not have. Today’s proceedings are effectively coming to an end and there is then an Adjournment debate, so the House will know that there is no recourse tonight, and people attending to our proceedings should know that. Moreover, tomorrow the House is treating of these matters appertaining to the withdrawal Bill, but it is dealing with very different sets of issues, on which the right hon. Gentleman’s concerns do not bite, so there is no obvious opportunity for these matters to be aired tomorrow.

However, without going into the full arsenal of weapons open to a Member of Parliament, there are means by which Members can try to secure the attention of the House to matters that they judge to be important, and if they feel that that needs to be done relatively soon. The right hon. Gentleman, who has now been here three years, is well familiar with some of the opportunities that are open to him and it is perfectly legitimate for him to seek to use those mechanisms. I get the impression, both from the right hon. Gentleman and from the hon. Member for Edinburgh South West (Joanna Cherry), who has legal expertise and some experience of these matters, that the nodding of the head suggests that they understand what I am saying to them.

Several hon. Members rose—

Mr Speaker: Very well. As I referred to the hon. and learned Lady, I will take her point of order first.

Joanna Cherry (Edinburgh South West) (SNP): On a point of order, Mr Speaker. When my right hon. Friend the Member for Ross, Skye and Lochaber (Ian Blackford) was asking you what options were open to Scottish parliamentarians to raise their concern about what has just occurred today, the hon. Member for Bridgwater and West Somerset (Mr Liddell-Grainger) shouted, “Suicide”. Is that in order, Mr Speaker?

Mr Speaker: I would say to the hon. and learned Lady that I did not hear that. [Interruption.] I am not disputing it; I am simply saying that I did not hear it. If I had heard it, I would not have approved of it. [Interruption.] Order. What I would say to the hon. and learned Lady, and for the benefit of people listening to our proceedings, is that I would judge that, frankly, to be distasteful. Is it disorderly? It is almost certainly not disorderly. The hon. and learned Lady will probably know—she is a student of these matters—that the House long ago dispensed with the idea of a formal list of disorderly words, not least because the list became too long and therefore unmanageable. Therefore, everything has to be judged in context—on the basis of the context in which a particular word or phrase is used. Is the word “suicide” disorderly? No, but in this context, it is distasteful, and I am sorry that it was used.

Several hon. Members rose—

Mr Speaker: There are a lot of Members wanting to raise points of order. I think I will come to a Dorset knight first.

Sir Robert Syms (Poole) (Con): On a point of order, Mr Speaker. Many of us on the Government Benches are disappointed that the matters of devolution did not have more debate. That was a consequence of the Opposition calling so many Divisions, thereby reducing the amount of time. What additional help can the House authorities give in time management training for the official Opposition so that, on future occasions when we have a clearly defined time for debate, they can decide when they are going to vote and when they can allow free-standing debate?

Mr Speaker: I hope the hon. Gentleman, who entered the House with me in 1997—I have known him a very long time—will not mind if I say that I think his point of order was delivered with a puckish grin and was of what I call a rhetorical character.

Pete Wishart (Perth and North Perthshire) (SNP): On a point of order, Mr Speaker. Can you confirm that what has to happen now is that this Bill has to be presented for Royal Assent and that the timing of that presentation is a matter for the Government? Is it right that within that period they could still seek to make some arrangement with the Scottish Parliament and Royal Assent should not be granted until a legislative consent motion has been passed in the Scottish Parliament? Surely that must now be what happens, because the Scottish people, who have been watching these proceedings today, are ashamed and appalled at what has happened in their name and at the way the devolution settlement has been turned on its head. Surely, even at this stage, something should be done to protect the devolution settlement.

Mr Speaker: I am grateful to the hon. Gentleman for his point of order. I hope he will not take it amiss if I simply say that the matter of Royal Assent is not one for the Chair—it is somewhat above my pay grade. It is for people with expertise in that subject. I hope he will not mind—I am going to say this even if he does—when I say that he is a little ahead of himself. I know he is a quick thinker, but he is a bit ahead of himself, because the Bill has first to complete its passage through the two Houses before the issue of Royal Assent arises. This Bill has not yet completed its passage through the two Houses. We are still engaged in what might be described as legislative or parliamentary table tennis with the upper House. Only when that process—that game of ping-pong—has been concluded will the issue of Royal Assent arise. So although I understand what he is telling me, and it may be an issue to be broached at some point by some person, that point is not now.
Ian Murray (Edinburgh South) (Lab): On a point of order, Mr Speaker. I, like many Members in this House, have received hundreds, if not thousands, of communications from constituents on this Bill. As many Members from across the House have said, it is the most important issue this House has dealt with since perhaps the second world war. I seek your guidance, but I also seek to put this on the record. It reflects very badly not only on this House but on all parliamentarians of all colours that I cannot represent the thousands of constituents who have contacted me about significant amendments that have been brought forward from the other place because of the time restrictions put in place by the Government programme motion. I know that is not your responsibility as Chair, but if we want politics and Parliaments in this country to thrive, we have to ensure that we present something to the public that allows them to feel, first, that they are engaged and, secondly, that their representatives can take part in debate to make their representations known. We have been unable to do that this evening, and the Government should reflect on the fact that people will be watching these proceedings and will be very upset that their representatives have been unable to contribute.

Mr Speaker: I am very grateful to the hon. Gentleman for his point of order and for the courtesy with which he raised it. What I want to say succinctly to him, and for the benefit of the House and others interested in our proceedings, is that there are matters that admit of discretion and matters that do not. Where there is discretion that can be exercised by the Chair—I say this in no spirit of self-advertisement and am simply trying to put the fact on the record—my instinct, as I have said to a number of colleagues in conversation today, has always been to allow more debate and more votes. If there is a desire for an urgent question and I think it is urgent, I grant it. I have done that on hundreds of occasions during the past nine years. That will please some people and displease others, but I am trying to do the right thing by the House of Commons.

I hope that the hon. Gentleman will understand—I know Ministers will—when I say that the Standing Orders are not accidental. This is not an inadvertent omission or construction of words on the part of those who drafted the Standing Orders. The Standing Orders are as they are for a reason, which is that they were drawn up for a purpose and they have been accepted by the House, and they do not admit of any discretion on my part. If I had discretion, no doubt I would exercise it, but I do not. I entirely understand what the hon. Gentleman is telling me, but my advice to him and to others who are similarly concerned—this is a general piece of advice, not specifically in relation to this Bill—is that if they feel strongly that there is an aspect of our procedures that should be handled differently, it is a good idea to address such matters in what I would call “peacetime”, rather than simply raising them in “wartime”. I have never known any Member previously raise this matter with me by way of complaint. Members are now complaining—I am not complaining that they are complaining, as they have every right to complain if they so wish—because it affects them here and now, or it affects the point they want to make, the subject they want to broach or the amendment they want to put to the vote. I have to work on the basis of the Standing Orders as they exist, and that is what I have done. I am not insensitive to the wider point that the hon. Gentleman has made.

Several hon. Members rose—

Mr Speaker: Order. I call Dr Philippa Whitford, then I will come to Mr Coaker.

Dr Philippa Whitford (Central Ayrshire) (SNP): On a point of order, Mr Speaker. We were told on Report and Third Reading that the Bill was going to the Lords, where there would be amendments, and that when it came back, because the Secretary of State for Scotland had not tabled his amendments, we would have time to debate it in detail. There was 19 minutes, all of which was used up by the Minister for the Cabinet Office. That is unacceptable, so how do we prevent it from happening when the Bill returns from the Lords next time?

Mr Speaker: I am alert to the danger of a repetition, as articulated by the hon. Lady. I think the answer is that it is up to the House to determine the programme motion. If the programme motion is considered unsuitable and unlikely to facilitate the nature and extent of the debate that the hon. Lady and her colleagues want, they know what their recourse is. They must seek to persuade a majority of the House to reject such a programme motion.

I have looked very closely at the amendability of such motions, and I know that an amendment was tabled. The Standing Order specifies that the Question on the programme motion should be put forthwith. As the hon. Lady knows, I regularly select amendments in debates that are voted upon, including on legislation, and while amendments to the programme motion are not prohibited—they can be tabled—there is no means by which they can be voted upon, as I interpret the Standing Order. It is therefore up to Members, if they do not like the programme motion, to defeat it. I am sorry if that does not satisfy the hon. Lady. I am not insensitive to this issue, but that is the factual position. Some Members may not like Standing Orders, but I owe it, in fairness to those who drew them up, to say that there is no constitutional or procedural impropriety in what has happened today. There may be other grounds for objection, but there is no procedural impropriety. The Minister, in addressing the matters as he did, allegedly for 19 minutes, was entirely within his rights to do so and, to be fair, he did take quite a lot of interventions in that period.

Several hon. Members rose—

Mr Speaker: Mr Gray, I do not think your mother would forgive me if I did not take your point of order.

Neil Gray (Airdrie and Shotts) (SNP): On a point of order, Mr Speaker. I seek your advice on what constitutes a debate. Does one Minister speaking for 19 minutes, and riding roughshod over 20 years of the devolved settlement, constitute a debate in your eyes or under Standing Orders?

Mr Speaker: I do not have a photographic recall of the Standing Orders, but I am sorry to tell the hon. Gentleman that the word “debate” does not feature especially prominently in them. Ordinarily, one would
of course interpret the word “debate” as meaning the exchange of opinions, and there was some exchange of opinions. I have known the right hon. Member for Aylesbury (Mr Lidington) for over 30 years. We knew each other before either of us came into this House and we have known each other for over 20 years in this House, including for the last 21 years as next-door neighbours, he in Aylesbury and I in Buckinghamshire. He is a most courteous fellow, and he did take a lot of interventions in his speech. Was it a debate in the sense that there was more than one speech? No, but if the hon. Member for Airdrie and Shotts (Neil Gray) is suggesting that the powers of the Speaker should be extended to allow him to adjudicate on these matters, heralding a panoply of new Standing Orders that would invest the Speaker with some sort of imperial power, I fear that he may find that this would not be altogether popular in the House. I would live with it—it would be a considerable burden, but I would do so with as much stoicism and fortitude as I could muster—but I rather doubt that the hon. Gentleman would persuade the House of the merits of such a proposition.

Vernon Coaker (Gedling) (Lab): On a point of order, Mr Speaker. Is there nothing that we can do, through your good offices, to reflect on the fact—you will have seen it and it has been a privilege to have you here all day to observe these proceedings—that numerous Back Benchers have not been able to comment on what everyone has talked about as one of the most momentous days in the history of this Parliament? People of England, Scotland, Wales and Northern Ireland have been prevented from contributing. Not only that but, on the second set of amendments, the only person whom we heard from was the Minister. Labour’s Front Bench could not contribute. Other Members who may have wished to contribute could not do so. We have spent three hours and 20 minutes on a momentous, historical change for our country. That is absolutely ridiculous.

May I just ask whether it is in order for the Minister simply to say, “These are the amendments which the Government think are a good thing and therefore the whole House should simply accept them.”? There was no response from Members for Scotland, Northern Ireland, Wales or England to hold the Minister and the Government to account. Surely that is the function of this Parliament and the Minister should be ashamed of himself.

Mr Speaker: I am sorry to repeat myself. There is much to be said for originality, but there is more to be said for truth, and I am afraid that I do just have to stick to the truth that no procedural impropriety has transpired today. I say to the hon. Gentleman—again I came into the House with him more than 20 years ago; I respect him enormously and I think he is a very widely respected Member in this House—that, if there is a further need for this House to treat of these matters later in the week, for example, or subsequently, and if such a need therefore necessitates a new programme motion, it is perfectly open to the Government to frame such a motion to take account of, and to demonstrate either sensitivity to or acquiescence in, some of the concerns that have been expressed this evening. Of course discussions take place, as people should know, between the usual channels and behind the scenes, about such matters and there may be some accommodation there.

I am always in favour of an outbreak of amity on procedural matters. It is best if we can avoid grave disharmony on such matters, but it will be for others to decide whether that should happen. That could happen. If the hon. Gentleman feels strongly about that, I feel sure that he will make a beeline for those on his own Front Bench, who engage in discussions on these subjects with the Government, to try to ensure that his concern is reflected.

Simon Hoare (North Dorset) (Con): On a point of order, Mr Speaker. It is clear, I think, from this afternoon’s proceedings that there is a feeling, shared, I suggest, on both sides of the House, that the Opposition have used the opportunity to call Divisions to act as a fig leaf to hide some of their embarrassment over this debate about devolution. Although I would probably have disagreed with many of the arguments deployed by SNP Members, they certainly have a right to be able to articulate them in this place.

Mr Speaker, accepting entirely your ruling that we are all bound by the rules of procedure and our Standing Orders, what scope, if any, exists—and, if it does exist, what avenues do Members have to promote this—to invite the Procedure Committee to consider that, on such a debate with multiple Divisions, the time taken by Divisions should not be included within the three-hour segment of debate, almost like the extra minute that we get when we give way to somebody when we are under a time limit? It would require a proper hearing by the Procedure Committee, but that might be one way to address what is clearly a very thorny issue.

Mr Speaker: I am very grateful to the hon. Gentleman for his point of order. It would be perfectly possible for a programme motion to allow for such injury time caused by Divisions, but it is not for the Speaker to stipulate that it should. However, it could. Moreover, these matters could indeed be considered by the Procedure Committee, of which the hon. Gentleman was a distinguished ornament and of which, for all I know, he may still be a member.

Simon Hoare indicated dissent.

Mr Speaker: Ah, he advises me that he is no longer a member of that Committee. I am sure that the Committee will feel considerably impoverished by his departure from it, but will do its best to cope in the circumstances. It is an unenviable scenario for the Committee, but I hope that it will manage.

Several hon. Members rose—

Mr Speaker: Members seem determined to raise their points of order. I hope that they are genuine points of order.

Alan Brown (Kilmarnock and Loudoun) (SNP): On a point of order, Mr Speaker. I have to be honest—sometimes I get easily confused. Today, I have wondered whether some hon. Members have been trying to confuse me further or, more concerning, have perhaps inadvertently misled the House. I have two examples. The Minister for the Cabinet Office spoke about the Scottish Government withholding a legislative consent motion. The reality is that the Scottish Government do not have a majority at Holyrood, and three other parties voted alongside the
Scottish National party—so it was the Scottish Parliament, not the Scottish Government. We then heard a point of order from the shadow Minister about standing up for Scotland, but the Labour Members then proceeded to sit on their hands in a vote for devolution. I am just wondering how I can—

Mr Speaker: Order. I do not mean to be unkind to the hon. Gentleman, who is an absolutely indefatigable Member of this House and an almost permanent presence in the Chamber, but the second part of his observations was pure politics. That is not a novel phenomenon in the House of Commons, but I am afraid that it was not even dressed up as a point of order. I think that we will have to leave it there.

Several hon. Members rose—

Mr Speaker: I will hear other Members if they insist, but the hour is late, so I would ask colleagues to show some sensitivity to the need to move on to the Adjournment debate. If people want to be heard, I will hear them briefly.

Peter Grant (Glenrothes) (SNP): On a point of order, Mr Speaker. Earlier, the Minister for the Cabinet Office gave the House an assurance that the new powers over the devolved nations being taken by the Government would not normally be used against the consent of those devolved Parliaments. He used almost exactly the same words as those that are already enshrined in the Sewel convention, which the Government have today cast aside by whipping their own MPs to vote against it. As Members have heard assurances by the Minister, and in some cases have possibly been persuaded how to vote by those assurances, what means are available to Members to ensure that those assurances are not cast aside with the same impunity as the assurances in the Sewel convention or, indeed, the assurances that we were given by the Secretary of State for Scotland in the early stages of the debate?

Mr Speaker: The answer is that, if I may say so, scrutiny is a process, rather than a fact. It is not a matter of an isolated incident or a single statement, gesture or occasion. It is a process of—if you will—remorseless inquisition. It is perfectly open to the hon. Gentleman, who has fast become familiar with the mechanisms of House scrutiny, to scrutinise the Government through written and oral questions, pursuit of Adjournment debates and the like on the matter of the Executive’s adherence to the Sewel convention, or, as he sees it, their non-compliance with it. I do not want to get into a great attempted exegesis of the Sewel convention but, from memory, the convention stipulates that the Government will “not normally” proceed on matters without a legislative consent motion. But, as the hon. Gentleman will know, the presence of the words “not normally” does admit of exceptions. That is the reality of the matter. It is a political matter, rather than one that lends itself to a ruling from the Chair.

Kirsty Blackman (Aberdeen North) (SNP): On a point of order, Mr Speaker. You have been a champion of this House, and you have done what you can to improve and to protect its reputation. Today’s events have damaged the reputation of this House irreparably. How can we ensure that such an undemocratic shambles never happens again?

Mr Speaker: Procedural change could prevent it. That is putting it very simply. The hon. Lady will probably be aware that I have heard representations privately from her leader and her Chief Whip, and in days to come, if she and her colleagues wish to take opportunities to air these matters further, it should not be beyond their ingenuity and sagacity to find such opportunities. If there is a desire for such opportunities, the Chair is not an obstacle; the Chair is a facilitator.

John Lamont (Berwickshire, Roxburgh and Selkirk) (Con): On a point of order, Mr Speaker. Given that the effect of the vote on the last group of amendments was to create an even more powerful Scottish Parliament, which Scottish Nationalist party Members have voted against, what procedural changes will be made in this House to reflect those changes across the United Kingdom?

Mr Speaker: Of the top of my head, I do not have the foggiest idea. I do not know. The reason, however, why I do not feel very guilty in responding in such terms to the hon. Gentleman is that although it is always a pleasure to listen to him, and his intervention was enjoyable, it did suffer from the material disadvantage that whatever else it was, it was not a point of order.

David Linden (Glasgow East) (SNP): On a point of order, Mr Speaker.

Mr Speaker: I wonder whether the stentorian tones of the hon. Gentleman indicate that his point of order is, or alternatively is not, a point of order. I dare say we will learn ere long.

David Linden: On a point of order, Mr Speaker. In 1999, when I was nine years old, the Scottish Parliament was established. Tonight, in the space of 19 minutes, the Government have managed to swat that away, with all the powers and conventions of the Scottish Parliament completely disrespected. Have you been given advance notice of a ministerial statement tomorrow from the Secretary of State for Scotland so that he can come to this House and apologise for letting down the people of Scotland?

Mr Speaker: No, I have not.

Martin Whitfield (East Lothian) (Lab): On a point of order, Mr Speaker. I seek your guidance in relation to the amendments. When the Bill left this House and went down the corridor, we had clause 11, to which the Government tabled an amendment. That has returned today and has been voted on. If that amendment had fallen today, is it correct that we would have gone back to the previous drafting of the Bill, which we all agreed was deficient?

Mr Speaker: If Lords amendment 26 had been defeated, the effect would have been to restore to the Bill subsections (1) to (3), which that amendment omitted. But that is all hypothetical, and I would not want to go any further for fear of causing confusion, not least as there were proposals from all sides, as people will not be surprised to hear, for amendments to amendments.
Marion Fellows (Motherwell and Wishaw) (SNP): On a point of order, Mr Speaker. I am very grateful to you for pointing out that no procedural impropriety has taken place here today. However, there has been an awful lot of walking and an awful lot of time—almost three hours—wasted on voting. Would it be possible, very soon, to introduce electronic voting in this House so that affairs that happened this afternoon, which meant that Scottish Members had no opportunity to speak against the devolution amendments, would have more time?

Mr Speaker: I hear what the hon. Lady has said. I hope that she will not take offence if I say that that point is not new. That is not an indictment of it. There are not that many new points made in this House. Repetition in the House of Commons is not a novel phenomenon. This is a matter for consideration by the Procedure Committee. I have expressed views myself in the past on the matter of electronic voting, but I have always done so taking care to make the point that the question of the means by which we vote in this place is a matter for the House of Commons. It is certainly something that can be strongly argued by the hon. Lady. I myself can see many arguments in favour of electronic voting, but it is not a matter for me—it is a matter for the House. She has made her own point in her own way, and it is on the record.

Drew Hendry (Inverness, Nairn, Badenoch and Strathspey) (SNP): On a point of order, Mr Speaker. I seek your guidance. Many of my constituents asked me to raise points in the debate today but, like my colleagues in the Scottish National party, I was unable to do so, even though all 35 SNP Members stood to try to catch your eye during the short period allowed. Can you advise me how to put it on the record that all SNP MPs today tried to take part in the debate but, due to the self-interest of the UK Government, were unable to do so?

Mr Speaker: The hon. Gentleman has achieved his own salvation. He has put that on the record, and he can circulate it to media outlets in his constituency and elsewhere. Moreover, if he continues to be the eager beaver that he has always been thus far in his membership of the House, I dare say he will beeke into the Chamber for business questions on Thursday morning and leap to his feet to seek a debate or a governmental statement on that very matter. He is many things, but he is not lacking indefatigability, and he is not knowingly understated.

Douglas Ross (Moray) (Con): Further to that point of order, Mr Speaker. The hon. Member for Inverness has just—

Drew Hendry: Inverness, Nairn, Badenoch and Strathspey.

Douglas Ross: The hon. Member for Inverness, Nairn, Badenoch and Strathspey (Drew Hendry) has just informed the House that all 35 SNP Members wanted to speak in the debate and were aware that there were 90 minutes available. What kind of debate do you think we would have procedurally if each Member had 30 seconds to speak, as the SNP was trying to impose on us?

Mr Speaker: It would be a debate characterised by extraordinarily short speeches—that is true, but that too, though an interesting reflection from the hon. Gentleman, is not a point of order.

Hannah Bardell (Livingston) (SNP): On a point of order, Mr Speaker. While I have huge sympathy with him and with the defence of this place and its procedures, does he agree that the public in not just Scotland but across the UK and the world will be looking at our procedures and laughing, because it is clear that they are inadequate and that the devolution settlement in Scotland and other parts of the UK is being ridden roughshod over? Does he agree that the points about changing the procedures of this place are in grave danger of closing the gate after the horse has bolted?

Mr Speaker: I am mildly tickled by the hon. Lady's use of words. I assume when she referred a number of times to "he" that she was in fact referring to me.

Hannah Bardell: Indicated assent.

Mr Speaker: I believed that to be so. I am not sure that I can presume to judge what assessment people around the world will make of this matter. I rather suspect that it will not be a unanimous judgment. In my experience, it is a very common tendency—one that no doubt I share myself—to assume that views that we hold are views that most sensible people also hold. That may be so, and it may not be so. There may be people who think that these arrangements are deeply reprehensible and other people who are rather more relaxed about them.

I understand what the hon. Lady says—that any attempt to reform procedures would come after these events. I was just gently making the point, to go back to what the hon. Member for Perth and North Perthshire (Pete Wishart) was saying in reference to Royal Assent, that this Bill is unfinished business, and if it still has further consideration in this House, which remains to be seen, it may be that there will be a programme motion that will bring a smile to her face. I am not volunteering that with especial confidence, but it is possible.

Mr Paul Sweeney (Glasgow North East) (Lab/Co-op): On a point of order, Mr Speaker. Thank you for your patience in hearing this point of order. I seek your clarification on the programme motion. It was entirely in the gift of the Government to set the time according to their requirements. Indeed, it was negotiated with the Opposition as well and Labour voted against the programme motion, but, crucially, we faced a binary Division whereby we were voting on a Government amendment that is deficient in the eyes of the Labour party, but we then faced a situation where we reverted to the original Bill, which is doubly insufficient and deficient in our eyes. We are not able to give any expression to the position that we hold as parliamentarians in expressing the views of our constituents and of our party.

It is not only that. It has been grossly misrepresented that we are taking a position that is contrary to the views that we hold. In the position where we are not able to give expression to, and far less vote on, what we believe as parliamentarians, representing the Labour party and our constituents, how do we give expression to those views, in the absence of the opportunity to do so in this House?

Mr Speaker: I think the hon. Gentleman has just done so. I do not wish to be discourteous, but I have been in the Chair, and it is an enormous honour to have been in the Chair, without interruption, since 11.30 this
morning—I have now been in the Chair for eight and a half hours, and it is my great privilege to be here and to sit through these debates and, for however long it takes, through all the points of order—but I genuinely do not think there is anything in what he said, with his usual eloquence, that requires a response from me. Forgive me, but I think he has said what he said, and I respect that.

Lady Hermon (North Down) (Ind): On a point of order, Mr Speaker. I am very grateful to you for allowing me to raise a point of order reflecting the concern in Northern Ireland. You will know that we have not had a functioning Assembly since January 2017. In the absence of a functioning Assembly in Northern Ireland, it was critical that we had a full examination and discussion today of the key amendments relating to having no hard border and, curiously, to north-south co-operation.

The term “north-south co-operation” is specifically defined in the Belfast agreement, and I have no doubt that Ministers—all of them—will have read the Belfast agreement in its entirety. It was therefore important for us to have had time today to discuss whether the Government had in fact unilaterally amended the Belfast agreement. That is a really interesting point, but we had no time to discuss it. I therefore ask your advice about how we can encourage the Secretary of State for Northern Ireland or, indeed, the Brexit Secretary to come to the House and make a statement on critical constitutional points affecting Northern Ireland and the whole United Kingdom?

Mr Speaker: I am grateful to the hon. Lady. It is open to Ministers to come to the House and make a statement. The hon. Lady is an experienced Member of the House, and she will know that Ministers tend to preface the delivery of an oral statement with the courteous words, “With permission, Mr Speaker,” but it is in fact a prerogative of a Minister to come to the House and make an oral statement if he or she so wishes. I am sure that the point that the hon. Lady has made will be heard by the Cabinet Ministers to whom she referred, and it is open to them to do so tomorrow. Alternatively, it is open to Members to seek to procure their presence.

Equally, it is open to Members to air these matters at business questions on Thursday, if they so wish. If Members of different political parties, or of several political parties, want to air their discontent—to some extent, they have done so tonight, but they might wish to do so in a more formal way to try to influence a subsequent programme motion—it is absolutely open to them to do so, and it will then be for the House to decide how it wishes to proceed.

Patricia Gibson (North Ayrshire and Arran) (SNP): On a point of order, Mr Speaker. Given that it was open to the Government to protect time properly to debate and vote on matters of importance to the devolved Governments, do you agree that what has happened today shows the utter contempt that the Government have for the democratically elected will of the Scottish Parliament, given the power grab that will now ensue?

Mr Speaker: The hon. Lady is seeking an opinion from me about support for the Government’s position or opposition to it, and I genuinely do not think it is proper for the Speaker to offer such an opinion. I have been quick to say that no procedural impropriety has occurred. I was completely sensitive to that before this array or flurry of points of order; but 43 minutes in, I am even more familiar with the extent of the irritation on this subject. I am not knocking it, but trying to be fair, as the Chair should be. No procedural impropriety has taken place.

I entirely understand the hon. Lady’s anger and that of the leader of her party, her Chief Whip and other Members. They have not stayed for the benefit of their health, but because they wish to make a point with force, and they have done so. I hope they will agree that I have been patient, as I should be, in listening to them doing so. As to whether things change in the days to come, wait to see, and bear in mind that Members can use the mechanisms open to them, as the leader of her party knows, to try to register a view more fully and to elicit a ministerial response.

Alison Thewliss (Glasgow Central) (SNP) rose—

Hugh Gaffney (Coatbridge, Chryston and Bellshill) (Lab) rose—

Mr Speaker: Is it really necessary to add to the list? Oh, very well; I will come to the hon. Gentleman in due course.

Alison Thewliss: On a point of order, Mr Speaker. Perhaps you can advise. Government Members were suggesting that Opposition Members were wasting time by calling votes. More than 100 amendments were proposed; there were not 100 votes. Do you agree that this illustrates how poor the procedures of this House are, given that it is just not possible even for all the amendments on the amendment paper to be voted on and debated fully? Even covering the relatively small number we had today has taken quite a long time.

Mr Speaker: It is not for me to support the programme motion or oppose it, which in a sense is what I am being invited to do. I certainly would not accuse any Member of wasting time by having a vote. I would not do that. It is for Members to judge when they want a Division. The hon. Lady is right that there are a very large number of amendments on the paper and that there have been rather fewer votes. Her point is clearly registered. As to whether things should be done differently, that is another matter. It is a simple fact that there was not a lot of time today for all the issues to be aired in the way that Members wanted and for anything like the number of Members who wished to speak to have had the chance to do so. That is a matter of regret to a great many Members, and if it is a matter of sufficient regret to them that they wish to try to bring about a change next time, they must make their preparations sooner rather than later.

Stephen Gethins (North East Fife) (SNP): On a point of order, Mr Speaker. It is 20 years since this place passed the Scotland Act 1998, which means that we have had less than one minute of debate per year to make the greatest changes to that Act since it was passed. The Secretary of State for Scotland, who is in the Chamber, made a commitment to bring changes to clause 11 to the House of Commons. Will he make a statement on whether 19 minutes of debate were adequate,
and do you think that there are ways in which we can make the Secretary of State more accountable? How do you think that this compares with democracy in other European institutions?

Mr Speaker: I briefly studied comparative politics at the University of Essex a little over 30 years ago, but I did not study these particular matters. Of course, I could not possibly have studied matters relating to the Scottish Parliament for the simple reason that it did not exist at the time at which I was undertaking my undergraduate exertions. These matters will come to be considered in the days ahead, and there will be opportunities for Members to keep raising these issues. Whether a statement is offered or not is not a matter for me, but it is open to Members to seek to put questions of an urgent character if they see fit. There are many opportunities for that, and if matters are thought to be not just of urgency but of emergency, there is a procedure available for that purpose as well. The Speaker is not an obstacle. The Speaker seeks, as appropriate—I have to reserve the right to judge each case—to be a facilitator.

Hugh Gaffney rose—

Martin Docherty-Hughes (West Dunbartonshire) (SNP) rose—

Mr Speaker: I am keeping the hon. Member for Coatbridge, Chryston and Bellshill (Hugh Gaffney) till last, because he was the last to stand. Do not worry, Mr Docherty-Hughes. You have an audience.

Martin Docherty-Hughes: On a point of order, Mr Speaker. First, may I congratulate you on staying in the Chair? It seems that we both studied comparative politics at the University of Essex. Perhaps I have as selective a memory as you about it.

Mr Speaker, can you set me straight about the constitutional position of this House and its relationship with the Parliament of Scotland and the historical narrative we are seeing played out here today in relation to the other place? There are Members of that other place, such as the archbishops and bishops of the Church of England, who are unelected and unrelated to the national Church of Scotland—we have no episcopacy in the governance of Scotland—who it seems have had greater time and ability to consider this, whereas the Parliament of Scotland’s will not to give a consent motion has been rejected and the majority of Scotland’s constitutionally elected constituency MPs have been unable to engage. I am sure that you will agree that that is the constitutional position of this House, and I must say that for Scotland it reflects very badly.

Mr Speaker: I understand the hon. Gentleman’s point. He and I have had an exchange of letters about the University of Essex—I think we are both immensely proud of our link with the University of Essex—and I hope he will not be offended if I say that his point of order had a kind of university essay quality about it. I felt that he was reverting to academic practice. I do not think that it is for me to attempt to compare and contrast the respective merits of the two Houses’ consideration of matters. The House of Lords operates on a different basis. We have procedures that have been adopted here that do not apply there. The other place must go about matters in the way it thinks fit. My concern is simply to try to do the right thing by the House. I will continue at all times to do so, wanting the maximum number of Back-Bench Members to have the chance to contribute to important debates that affect their constituents, present and future.

I think we come to what I hope—I do not mean this unkindly—is the last point of order.

Hugh Gaffney: On a point of order, Mr Speaker. We have just spent nearly an hour debating points of order. I admire your work, Mr Speaker, but as a union rep, I am always concerned about health and safety, and you have stood on your feet for eight and a half hours. That concerns me, Chair.

Mr Speaker: Well, that is very kind of the hon. Gentleman. I will let him into a secret: I was advised on a previous occasion by the good doctor, the hon. Member for Central Ayrshire (Dr Whitford), that it is not good for one’s health to sit in the Chair for very, very extended periods, as I did at the start of December 2015. The reason I do not think the hon. Gentleman should worry too much is that that was a genuinely long session for the Syria debate. I was in the Chair without interruption for 11 hours and 24 minutes; it was a very great privilege. I was in the Chair without interruption for 11 hours and 24 minutes; it was a very great privilege. Today, I have not notched up even nine hours yet, so I do not think the hon. Gentleman needs worry too much. [Interruption.] The Chairman of Ways and Means says that he could help. I am already 22 minutes late for a dinner engagement; that does not matter—the House needs worry too much.

I understand people’s upset and irritation, but I thank them for the courtesy with which they have raised their points. We are now coming to the Adjournment debate. The House will probably be very relieved to know that it will be rid of me for tonight and that it will luxuriate in the latter of having its proceedings chaired by the Chairman of Ways and Means.
Sexual Exploitation: Newcastle

Motion made, and Question proposed, That the House do now adjourn.—(Paul Maynard.)

8.22 pm

Chi Onwurah (Newcastle upon Tyne Central) (Lab): All of us here will have tremendous sympathy with the victims of sexual exploitation and the challenges, barriers and burdens they face. I want to pay tribute to the bravery, strength and perseverance of the victims of sexual exploitation, who deserve not merely our sympathy but our concrete, committed and long-term support.

Last August, a jury returned guilty verdicts on 17 men and one woman who had committed abhorrent crimes in Newcastle. This was the culmination of Northumbria police’s Operation Sanctuary, a three-year investigation into the sexual exploitation of vulnerable women and girls. No convictions would have been secured without the bravery of the victims in testifying against their attackers, re-living their terrible experiences, in some cases more than once. To be subject to such abuse is more than anyone should have to bear. To then describe it to a court full of strangers shows the sort of courage that the rest of us can only hope to equal.

I feel personally ashamed that the city in which I grew up, and which I now have the privilege to represent, harboured men who groomed, exploited and raped women and young girls. They targeted women and girls because they were vulnerable, turning the vulnerable into victims, but I am also grateful to the victims for their courage, which has made Newcastle a safer city.

At the end of 2013, Northumbria police were contacted by a woman who informed them of sexual exploitation in the west end of Newcastle. Northumbria police responded rapidly. The national charity Changing Lives has worked extensively with the victims, and it told me that the police believed the victims immediately and maintained unconditional positive regard throughout the process, which has not always so in other sexual exploitation cases.

Jim Shannon (Strangford) (DUP): I spoke to the hon. Lady beforehand just to tell her some things that we are doing in Northern Ireland. The Safeguarding Board for Northern Ireland said that people who have had up to six adverse childhood experiences—in this case, sexual exploitation—are not only traumatised but, it is estimated, could die some 20 years earlier as a result of their experiences. Does she agree that this clearly underlines the need for more support to be given at an earlier stage and that the police need to be more active for the victims of sexual exploitation, whose lives are shortened as a result of what they have experienced?

Chi Onwurah: I thank the hon. Gentleman for his intervention. I agree that the impact of such sexual exploitation on the lives, mental health and long-term opportunities of the victims is significant. That is why long-term support is required, and I will touch on that in more detail later.

The police acted upon 1,400 pieces of intelligence, identifying 278 victims and arresting 461 suspects. Eight crime gangs were identified, all of which are now subject to ongoing disruption, and 220 child abduction notices have been issued, warning suspects that they face arrest if they contact children. The professionalism with which Northumbria police conducted Operation Sanctuary has made Newcastle safer. As April’s police and crime panel report put it, “it is difficult to overstate the positive impact of Sanctuary.” That was not only because perpetrators were taken off the streets; there was also a recognition that victims would need long-term support provided by various agencies.

Catherine McKinnell (Newcastle upon Tyne North) (Lab): I commend my hon. Friend for securing this really important and timely debate, and I join her in commending the actions of Northumbria police and other organisations in Newcastle that have tackled this head-on, but does she share my concern that there appears still to be a lack of understanding among statutory bodies, including Departments, about the national strategic response that we need to this horrific crime? More than half the victims in Newcastle were not children but vulnerable adults, and this must be recognised by the Government and at a local level.

Chi Onwurah: I thank my hon. Friend and neighbour for her intervention; that is exactly what I will come on to.

In April 2015, the police, Newcastle City Council, adult and child social care, and key voluntary sector groups, including Changing Lives, Barnardo’s and Bright Futures, came together to establish a multi-agency hub, providing person-centred support to 166 women and girls so far. Newcastle City Council referred to the hub as “a return to true social work values and innovative practice.”

At the same time, the council commissioned a joint serious case review known as the Spicer report. This report emphasised that the needs of victims are different. Some are children, some are adults, and some experience as children sexual exploitation that continues into adulthood. It pointed out that all of the victims would need ongoing and, in some cases, lifelong support.

The experience of Changing Lives shows that without this support victims are more likely to have contact with homelessness services, domestic abuse services, community rehabilitation companies, the National Probation Service, the Prison Service, addiction treatment services, children’s social care and others. Basically, without long-term support, these victims of appalling abuse are more likely to have further negative experiences. This is unacceptable and why the hub is so important. The Spicer report praised the hub as an example of good practice and quoted victims as saying:

“The support I have had has been exceptional.”

“The support from the Hub is brilliant.”

“I could not have better support than Sanctuary.”

On 6 March, I asked the then Parliamentary Under-Secretary of State for Justice, the hon. Member for Bracknell (Dr Lee):

“Will the Minister be responding directly to the Spicer review’s recommendations?”

I was told:

“The Department is of course aware of that serious case review of the sexual exploitation of children... Like all the agencies involved, we are looking into ways to continuously improve our service.”—[Official Report, 6 March 2018; Vol. 637, c. 148.]
He appeared unaware, however, of the point my hon. Friend just made: that the report emphasised that Operation Sanctuary concerned the sexual exploitation of vulnerable females both under and over 18—women and girls—which is key to some of the issues raised.

Since then, I have asked a number of written questions without receiving any useful assurances. Will the current Minister now commit to an official response to the Spicer review, or explain why she is unable to do so? In answers to my questions on 7 March and 12 March, both the Home Office and the Office of the Attorney General said they had “taken significant action”, with £40 million having been allocated to tackle child sexual exploitation. Once again, does the Minister acknowledge that more than half the victims of the sexual exploitation uncovered by Operation Sanctuary were over 18, and will she commit the Government to providing support and funding for tackling the sexual exploitation of adults as well as children? Answers to my questions also referred to funding for sexual assault referral centres, which is welcome, but SARCs are established to provide immediate support for victims of sexual violence, not long-term support.

I have also written to the Government about the case of at least one victim denied compensation because of long-term support.

Catherine McKinnell: I fully support what my hon. Friend is saying. I too have tabled written questions to Ministers and have always been replied to in the context of child sexual exploitation, which completely ignores the fact that many of the victims were adults. Does she also share my concern that Changing Lives’ recent application for tampon tax funding to provide much needed support and adult support services for victims of exploitation has been turned down? Will the Minister commit to reconsidering that application and the work it does to support these very vulnerable victims?

Chi Onwurah: I thank my hon. Friend for her intervention.

The Spicer review’s recommendations require funding, but this has been difficult to secure. The sexual exploitation hub previously received £1.7 million through the police innovation fund, but this ran out in March 2017. Since then, funding has been drawn from local sources, with the police, the clinical commissioning group, Newcastle City Council and voluntary organisations enabling its work to continue. The council has provided temporary funding of £250,000, which should last until March 2019, and this includes staffing as well as the council’s contribution to the building and utilities, which is paid for from the social care precept.

It is difficult for the council to plan for the future of the hub when adult social care nationally is chronically underfunded, there is no clarity regarding the long-term funding of adult social care, and there is no information from the Government about what will happen at the end of the current rounds of the adult social care grant, the improved better care fund and the social care precept. Moreover, the council is under acute pressure because its central Government grant has been slashed in half since 2010. It told me:

“Clearly we are unable to adequately plan for the future when adult social care nationally is chronically underfunded and there is no clarity regarding the long term funding of adult social care.”

Does the Minister expect a council whose budget has already been decimated to fund the hub?

As there is no consensus on whether responsibility for the hub lies with the violence against women and girls agenda, with public health services, or with community safety, police, and police and crime commissioner victim services, there is a risk that it could fall between the cracks. That would be a tragedy, and the Government would rightly be blamed for abandoning vulnerable girls and women. Can the Minister clarify which Department is responsible, and can she commit that Department to working with Newcastle City Council to ensure the long-term survival of the hub? Will she also commit herself to making more funds available, so that the ground-breaking work of the hub can continue to support victims of sexual exploitation in Newcastle?

I always tell people that Newcastle is the best city in the world. For the young women and girls who were victims of terrible sexual exploitation there, it was clearly not the best city in the world, but in their bravery we can see the best of Newcastle, and in the work of the hub that supports them we can see a model that could be successfully transplanted to other cases in other towns and cities. So far in 2018, we have seen further cases of organised groups of men grooming women and girls for the purposes of sexual exploitation in Telford, Stockton and Sheffield. As the Spicer report says, if agencies “do not recognise sexual exploitation…in their area, it is because they are not looking hard enough.” However, to bring such support to other areas, and to secure its future in Newcastle, requires money, and it also requires leadership.

Our country can and must be a place of safety and security for girls and young women, and I am immensely saddened that, in my own city, so many did not receive the protection that is their due. We cannot go back in time, but we can change the course of their lives in the future. It would be a betrayal of hideous proportions if we were to fail to do so, given all that they have suffered. Let me ask the Minister my ninth and final question. Will she guarantee to the victims of Operation Sanctuary and to all my constituents that in 10 years’ time the same support will be available to them as is available to them today?

8.38 pm

The Parliamentary Under-Secretary of State for the Home Department (Victoria Atkins): I thank the hon. Member for Newcastle upon Tyne Central (Chi Onwurah) for securing the debate. She talked not only about the need for support, but about the long-term effects of such disgraceful and unacceptable behaviour to a fellow human being. She has represented her constituency this evening with passion and understanding, but also with a clear determination to ensure that her great city does not see a repetition of these terrible episodes.

I know that this subject is enormously important to Members in all parts of the House. I was glad that the hon. Member for Newcastle upon Tyne North (Catherine McKinnell) intervened on her hon. Friend’s speech, because I have received parliamentary questions from both Members. I will start with an observation that they made, quite properly, about the responses that they had received to questions about the Spicer review and the fact that answers had tended to focus on child
The Government want to ensure that all victims of sexual exploitation feel that they can come forward to report abuse and that they can get the support they need. Whether a victim is a child or an adult, the same principle must apply.

This Government have empowered PCCs to deliver services for victims. So in the first instance PCCs must make an assessment of the support needs of all victims in their force area, including children and vulnerable adults, and commission services that meet those needs. We are allocating around £68 million to PCCs this year to provide emotional and practical support services for victims of crime, and we have increased the overall victims’ support services budget from around £50 million in 2012-13 to around £96 million in the current financial year.

As I have said, the PCC in Northumbria has been allocated more than £1.5 million of core victim grant to provide support to victims, and additional money to the tune of £116,000 has been allocated to services for victims of child sexual abuse. Of course, the PCC has her own budget from the main grant, and central Government say to PCCs, “You know the needs of your local area and we trust you to make these decisions.” We therefore hope is that if she feels that more funding needs to be allocated, she will be able to do that from the main grant.

We have also provided £250,000 this year to support four rape support centres in Northumbria, including the Grace Project in Newcastle. The Grace Project is one of 15 rape support centres that have opened since 2010 with Government funding. We now support 98 centres directly, helping women, men, boys and girls to begin to recover from the effect of these appalling crimes, and we have committed to maintaining funding for rape support services at the current level until at least 2020.

Our ambition is to support victims and survivors, whoever they are and wherever they are. That is why we have invested £100 million in this spending review period to support our commitment to tackling violence against women and girls, and it is why NHS England has now commissioned 47 sexual assault referral centres in England at a cost of £27 million, including the Teesside SARC, which provides support for victims of sexual violence across the north-east. It is also why we have recently launched the £13 million trusted relationships fund, protecting vulnerable people from sexual exploitation, gang exploitation and peer abuse.

We want to do more, so we are investing £7.5 million in the centre of expertise on child sexual abuse, which will tell us far more about what works, where gaps exist and what more support we can give to professionals and commissioners. It has already published research into local commissioning practice, which will form the basis for a framework for commissioners. The Home Office will publish that framework later this year. It will share good practice and help commissioners to assess need and provide support. We are also piloting the child house model, based on international best practice. In a child house, child victims can receive all the support they need in a single, comfortable environment. We have invested more than £4 million in the first house, which will open its doors in London in the autumn.

Despite all that has been achieved in recent years, we must continue to challenge ourselves to improve the support we provide for victims, not only because the needs of victims change over time but because the nature of crime itself is continually evolving. That is why we are developing a new cross-Government victims strategy, which will comprehensively review how crime has changed and ensure that our response still meets the needs of victims. The strategy will provide a framework for future work and national cross-Government direction. For example, as part of the strategy, we are developing a more sustainable funding model for sexual violence support services, so that victims can access the support they need immediately after the crime and throughout every stage of their recovery.
The strategy will consider how we might improve provision of the services that victims are entitled to receive under the victims code. It will also continue to drive improvement in victims' experience of the criminal justice process. The hon. Lady's description of the ordeal of victims having to give evidence at trial summed up the need for that very strongly. We must ensure that criminal justice agencies provide victims with a service that is appropriate to their needs and respectful of them as individuals. Victims want cases to be well managed and dealt with swiftly, so that they can deal with the experience and, hopefully, put it behind them. We will consider how the agencies responsible for delivery of those services might be better held to account.

I know the interest of the hon. Lady and the hon. Member for Newcastle upon Tyne North, so I would value a meeting with them and my officials to discuss any thoughts that they may have on how the victims strategy can be improved to cover the points raised in tonight's debate.

Chi Onwurah: I thank the Minister for giving way, for the tone of her comments and for the way in which she recognises the importance of the issues that I have tried to raise on the behalf of my constituents. I have listened carefully to what she says, and I appreciate the offer of a meeting and the commitment to some sort of response to the Spicer review. However, I get the impression that funding for the hub and the multi-agency approach will come from the police and crime commissioner and potentially the sexual violence support grant as part of any future strategy, or is that something that we can discuss in detail in a meeting?

Victoria Atkins: Could we discuss that in the meeting? We have always tried to ensure that local commissioners are commissioning the services that they feel are needed in their area, but I am happy to hear the hon. Lady's thoughts on that in the meeting that we will have with my officials.

In conclusion, I thank the hon. Lady once more for securing this important debate. Victims and survivors of the most appalling crimes rely on us, both in government and on both sides of this House, to represent their needs and to ensure that they receive the support to which they are entitled. It will be a privilege to continue to work with colleagues across the Government and across the House, and with representatives locally, to ensure that victims in Newcastle and in all areas of England and Wales are heard, are supported and are able to recover.

Question put and agreed to.

8.51 pm

House adjourned.
Universal Credit

1. Anna McMorrin (Cardiff North) (Lab): What progress is being made on the roll-out of universal credit in Wales.

2. Stuart C. McDonald (Cumbernauld, Kilsyth and Kirkintilloch East) (SNP): What progress has been made on the roll-out of universal credit in Wales.

3. Mr Paul Sweeney (Glasgow North East) (Lab/Co-op): What progress is being made on the roll-out of universal credit in Wales.

The Parliamentary Under-Secretary of State for Wales (Stuart Andrew): Universal credit is already operating in 15 jobcentres across Wales, with a further nine scheduled for roll-out this month. The number of people receiving universal credit in Wales is now over 40,000, and 36% of them are in employment. Wales’s jobcentres are in the latter part of the roll-out schedule and will be fully in place by December this year.

Anna McMorrin: My constituent suffers from Huntington’s and early onset dementia. As a result of a 10-week delay to receive universal credit, her rent arrears went up £1,000. A couple of weeks ago, she attempted suicide. Thankfully, I managed to help her on this, but there may be other cases in Wales just like it. Will the Secretary of State work with his colleagues and revise this damaging policy?

Stuart Andrew: I obviously cannot comment on the individual case, but I am sorry that the hon. Lady’s constituent was in that position. We have tried to do everything we can to ensure that the roll-out has been as smooth and as slow as possible, and where we have had issues such as those that she raised, we have made changes. That is why my right hon. Friend the Chancellor made the announcement in the Budget about the changes—we want to deal with the housing issues that she raises.

Stuart C. McDonald: The IPPR, Shelter Cymru, the National Assembly’s Equality, Local Government and Communities Committee, the Bevan Foundation and the Trussell Trust all argue that Wales should have the same powers that the Scottish Government have been using so effectively to mitigate this Government’s horrendous social security cuts. Why will the Conservative Government here and the Labour Government in Cardiff not make it happen?

Stuart Andrew: My understanding is that there has never really been consensus on devolving this to Wales. I also point out that the Scottish Government have many of these powers and are yet to use them.

Mr Sweeney: In Scotland, the transfer from disability living allowance to personal independence payment has resulted in a total of more than £56 million being lost in annual payments. In my constituency, the total loss to people with disabilities is over £2 million a year, so what assessment has the Secretary of State made of a similar impact on disabled people in Wales?

Stuart Andrew: The reason we have introduced PIP is to make sure that people who are living with disabilities are able to have as independent a life as possible. The problem with the old system of DLA is that people were given the payment and their needs were never reassessed. That is the reason why with PIP, we are making regular assessments, so that as those conditions may deteriorate, they will get more support. I also point out that more people are getting the higher rate of PIP than they did of DLA.

Mr Mark Harper (Forest of Dean) (Con): Will the Minister reflect on the fact that it is welcome that the Secretary of State for Work and Pensions has put measures in place to make sure that there is no delay in people getting universal credit, and that it is worth reminding people that universal credit means that it always pays to take a job, and that people are better off as they move up the income scale in work? Those are the important benefits of the policy that people need to be reminded of every day of the week.

Stuart Andrew: My right hon. Friend is absolutely right. People who are on universal credit are spending 50% more time looking for a job than they did on jobseeker’s allowance. They are getting into work quicker and when they are staying in work, they are staying there longer. The figures are quite staggering: 86% of people on universal credit are looking to increase their hours, because they can do so, compared with just 38% on JSA.

Chris Ruane (Vale of Clwyd) (Lab): The Department for Work and Pensions’ own figures show that 44% of universal credit claimants have seen their arrears rise by the time that they are nine months into their claim. Many of these claimants are vulnerable because they have issues with mental ill health, literacy and using computers, or they may have experienced domestic violence and recent bereavement. Whatever the reason, nearly half of them are suffering financially as a result of universal credit. Will the Minister and his team meet Opposition Members and advice agencies from Wales to discuss these issues and to see how we can improve this dreadful situation?

Stuart Andrew: There are a number of reasons why people who come to universal credit have arrears—I presume that the hon. Gentleman is talking about housing costs arrears and rent arrears. Some of those people...
had arrears when they were on JSA. That said, we have listened very carefully. That is why in the Budget we made provision that from now on, people who are going on to universal credit will have two weeks’ extra payment to address that need.

Swansea Bay Tidal Lagoon

2. Kelvin Hopkins (Luton North) (Ind): What recent discussions he has had with the Secretary of State for Business, Energy and Industrial Strategy 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. A statement on the proposals for the Swansea Bay tidal lagoon will be made in due course.

Kelvin Hopkins: The Swansea Bay tidal lagoon is vital to Britain’s future energy supplies and is the first of many major schemes to harness the vast marine energy resources around our shores to generate electricity and switch the country to renewables, to reduce and prevent climate change. That is now urgent. Given that, among other things, the Welsh Government have offered to help pay for it, when are the Government going to stop dithering and make the scheme happen?

Alun Cairns: I would really like the tidal lagoon to go ahead, but of course it must prove to be value for money. Tidal projects could have a positive energy potential, but of course they must deliver value for money for the taxpayer. A number of proposals have been made, and I am not sure whether the hon. Gentleman is supportive of just the project he mentions or marine and tidal projects in general.

Jonathan Edwards (Carmarthen East and Dinefwr) (PC): The Secretary of State is fast becoming the grim reaper of Welsh politics—the bearer of bad news. When he pulls the plug on the lagoon there will be huge public anger in Wales. Many people back in the motherland will be left asking not only what the point of the current Secretary of State is, but what the point of having a colonial Secretary at all is.

Alun Cairns: I am disappointed with the tone the hon. Gentleman takes. I would hope that he would recognise the fair funding settlement that we got for Wales—something that the Labour party ignored for 13 years; the Severn tolls announcement; and the city and growth deals that we have got. For Swansea there is a £1.3 billion scheme, and the Cardiff scheme is the biggest in the UK. I hope that demonstrates the value that a Secretary of State for Wales can bring.

Carolyn Harris (Swansea East) (Lab): Electrification—we have not had it. Tidal lagoon—if the Financial Times is to be believed, we are not going to have it. When is the Secretary of State going to start speaking up for the people of Wales?

Alun Cairns: No announcement has been made on the tidal lagoon because we are still looking at the numbers. We are doing anything and everything possible to try to make this fit. The hon. Lady should not want it to go ahead if it is not good value for money for the taxpayer. She will be well aware that Tata is an energy-intensive industrial site right next door to the site for the proposed tidal lagoon. I do not think she or any other Member would want to increase energy prices in a way that could put those jobs at risk.

Geraint Davies (Swansea West) (Lab/Co-op): Will the Secretary of State point out to the Business Secretary that once nuclear energy commands 12% of global output, we will run out of uranium in 10 years and the price will go up, as will the price of fossil fuels, because we cannot use 80% of them if we are to fulfil the Paris agreement, whereas the price of energy from the lagoon will go down over 100 years? Will the Secretary of State point that out, rather than just sit there doing nothing?

Alun Cairns: I am glad the hon. Gentleman mentions the Wylfa project, because it is a great demonstration of the Government being prepared to look at the financial model and adjust it in order to make projects happen. It will be the biggest infrastructure project in Wales for well over 30 years, and it provides fantastic prospects. I hope that tidal and marine energy could offer the same, but we should want a scheme only if it is good value for money.

Christina Rees (Neath) (Lab/Co-op): When the people of Wales and the Welsh Labour Government can see the merit of the Swansea Bay tidal lagoon to the extent that they are prepared to invest more than £200 million to achieve the benefits in jobs, growth and cheap, clean renewable power, why will the Secretary of State’s UK Tory Government not even go as far as to sign the same deal they have already concluded with the French and Chinese Government to pay £92.50 per megawatt-hour for nuclear electricity that will be produced at Hinkley C for the next 35 years?

Alun Cairns: The hon. Lady raises an important point, because she talks about projects that are value for money. Of course £92.50 was rightly highlighted as extremely expensive at the time, and we said that that would be the highest we would pay for such energy projects. We have already said that the tidal lagoon, under the current proposals, would be twice the price of nuclear, so clearly we would not want to be in that position. I should add that I really want this project to happen if it is good value for money for the taxpayer, and my record is strong. I was the one who took Tidal Lagoon Power to meet the special advisers at No. 10 at the very beginning of this process in 2012, and it was from that moment on that the project was taken seriously.

Christina Rees: The whole of Wales is waiting for this decision, because the tidal lagoon project is not just about Swansea. If the Secretary of State’s UK Tory Government accept Carwyn Jones’s kind offer, tidal lagoons for Cardiff, Colwyn Bay and Newport will quickly become real prospects. They could bring jobs and prosperity to the whole of Wales and boost our vital steel industry. This is about the development of technological innovation and bringing it to the point of full commercial productivity. That is what we do in Wales. In stark contrast to the way the Government have proceeded. Were the Government to participate in
Mr Speaker: I sometimes wonder whether the hon. Lady’s questions are more in the manner of an academic thesis. I trust that they will be published, because they are in _Hansard._

Alun Cairns: The hon. Lady referred to the Welsh Government’s commitment of £200 million, but that is merely a small fraction of the cost of the proposal. We are working with the Welsh Government: we have shared our financial analysis of the project and they have not rejected or pushed back on the sharing of that data. That demonstrates the collaborative approach to the project that we want to take. I point out to the hon. Lady that the city and growth deals throughout every part of Wales are a good demonstration of the industrial strategy and of how the UK Government are committed to development and growth in Wales.

Mr Speaker: I call Michael Fabricant.

Michael Fabricant (Lichfield) (Con): Diolch yn fawr, Mr Speaker.

Mr Speaker: Very good—well done!

_Tourism_

3. Michael Fabricant (Lichfield) (Con): _What recent discussions he has had with the Secretaries of State for (a) Digital, Culture, Media and Sport and (b) Environment, Food and Rural Affairs on promoting Wales as a tourist destination; and if he will make a statement._ [905729]

The Parliamentary Under-Secretary of State for Wales (Stuart Andrew): I have regular discussions with my right hon. Friend the Secretary of State for Digital, Culture, Media and Sport, including about how we work together to promote Wales across the globe. Along with the Minister responsible for tourism, my hon. Friend the Member for Northampton North (Michael Ellis), I recently met key figures from our tourism sector to discuss the industry in Wales and the important role that the UK Government and VisitBritain have to play.

Michael Fabricant: Whether it be the beautiful beaches of the Gower peninsula, on which I entice my hon. Friend to join me one day, the Clink restaurant in Cardiff prison, or whitewater rafting—I could go on and on—

Mr Speaker: But you won’t.

Michael Fabricant: But I won’t; does my hon. Friend agree that the tourism offer in south Wales will be enhanced by the removal of tolls on the Severn crossing?

Stuart Andrew: Given my hon. Friend’s participation in the programme “First Dates”, I am somewhat perturbed by his proposition. Anyway, I agree that the removal of the tolls will show that Wales is open for business and that we are determined to get people to come and visit the wonderful sights on offer in south Wales and throughout the country.

Albert Owen (Ynys Môn) (Lab): The fastest-growing industry in Wales is tourism, and as the Minister will know, the jewel in its crown is Anglesey, Sir Môn. Many businesses have been helped to establish themselves by the European social fund; how will that gap be filled post Brexit? Those businesses need the UK Government’s help.

Stuart Andrew: Having been born and brought up on Anglesey, I have to agree with the hon. Gentleman that it is a wonderful place to visit. The European funding systems have been very complex and a source of frustration for businesses. We want to ensure that the UK prosperity fund is far more effective for exactly the industries that the hon. Gentleman refers to.

Liz Saville Roberts (Dwyfor Meirionnydd) (PC): The 24 policy areas held back by Westminster in the European Union (Withdrawal) Bill have now, with Labour’s seal of approval, been increased to include state aid. Why are the Government deliberately intervening to deny Wales the means to help ourselves?

Stuart Andrew: The Government are absolutely determined to make sure that our exit from the EU is as smooth as possible and benefits every part of the United Kingdom. We will make sure that in that process, we fight Wales’s corner in every part of Whitehall.

Liz Saville Roberts: Last night, the Unionist parties showed their complete contempt for devolutionists by collaborating to ensure that we had no longer than 18 measly minutes to debate the fate of our national democracies. Is this another attempt by Westminster to defeat what a former Prime Minister once described as the “enemy within”?

Stuart Andrew: I have the utmost respect for the hon. Lady, but I completely disagree with her. I am a proud Unionist and I am also proud to be Welsh. I have to say that it was not Members on the Conservative Benches who curtailed the debate; it was the Opposition, who pushed every single Question to a Division.

Chris Evans (Islwyn) (Lab/Co-op): It may be a small thing, but one way of attracting tourism to Wales is to clean up our verges and our roads. There is nothing worse than coming to Wales and seeing rubbish thrown across the sides of the valleys. What are the Government doing to speak to the Welsh Assembly and local councils to ensure that they are cleaning up their roads to attract more people to Wales?

Stuart Andrew: The hon. Gentleman is right. It is actually issues such as that that matter a great deal to people and give a good impression. That is exactly why we have given more and fairer funding, to the Welsh Government. My understanding is that it is £120 per head at the moment.
Heathrow Expansion: Benefits for Wales

4. Paul Masterton (East Renfrewshire) (Con): What steps he is taking to ensure that Wales benefits from the expansion of Heathrow airport. [905730]

The Secretary of State for Wales (Alun Cairns): Heathrow airport is an asset for the whole of the United Kingdom and we will make sure that the benefits of expansion are shared as widely as possible.

Paul Masterton: Does my right hon. Friend agree that the logistics hubs are absolutely vital to ensure that places such as Wales and Scotland benefit from Heathrow’s expansion plans?

Alun Cairns: My hon. Friend is right, and I know that he is keen to gain a logistical hub in Scotland, which demonstrates that Heathrow airport expansion is a project not just for London and the south-east, but for the whole of the UK. I was in Shotton just a couple of weeks ago, one of the potential sites for a logistical hub, so I suspect that we may be in competition.

Jo Stevens (Cardiff Central) (Lab): Does the Secretary of State agree that the demand for the Heathrow rail spur link is of paramount importance now, and that the original date for implementation and opening of 2020 should be adhered to?

Alun Cairns: The hon. Lady raises an important point. Public transport is an important part of the expansion of Heathrow, including the western rail link. I am as keen as she is to see that progress as quickly as possible.

Jack Lopresti (Filton and Bradley Stoke) (Con): I welcome the moves that my hon. Friend is taking to ensure that Wales benefits from Heathrow expansion. I have a Heathrow hub in my constituency, just on the other side of the Severn. Aside from removing the tolls on the Severn bridge, which is an excellent thing to do, what else is he doing to try to strengthen economic links between the south-west of England and Wales?

Alun Cairns: My hon. Friend raises an extremely important point, because the removal of the Severn tolls creates a great opportunity to create and generate a new economic region. I held a Severn growth summit in Wales in January, and more people attended from the south-west of England than from Wales, which demonstrates the will to combine the capacity of the area to compete with the northern powerhouse, the midlands engine and London and the south-east.

Ian C. Lucas (Wrexham) (Lab): Liverpool and Manchester airports serve north Wales. Will the Secretary of State ensure that those airports, which want further contacts with Heathrow, are not relegated to a position behind Heathrow on the issue of service access to airports?

Alun Cairns: The hon. Gentleman makes an important point. He talks about Liverpool and Manchester. Part of the condition of the expansion of Heathrow airport and the construction of the third runway relates to the protection of 15% of slots for regional airports around the UK, and Liverpool and Manchester stand to benefit significantly from that.

Community Transport

6. Jessica Morden (Newport East) (Lab): What discussions he has had with the Secretary of State for Transport on the potential effect on community transport providers in Wales of changes to the way in which section 19 and 22 permits are issued. [905732]

The Parliamentary Under-Secretary of State for Wales (Stuart Andrew): Community transport operators provide vital services to the people of Wales. The Government have recently consulted on how to align domestic law on section 19 and 22 permits with EU legal obligations, as well as updating existing guidance on permits. We are now analysing the responses and will respond in due course.

Jessica Morden: As the Minister said, community transport operators in Wales have many valuable functions, including helping isolated people get to the shops, doctors, friends and family. They will be hit very hard by Government changes in terms of extra licensing and certification. The Community Transport Association says that this will affect 95% of operators, so what will the Minister do to help the Department for Transport listen and make changes?

Stuart Andrew: I completely agree with the hon. Lady that community transport operators provide vital services, particularly in Wales, where there are an estimated 2 million passenger journeys over a total of 6 million miles. But we do have to align ourselves with the EU regulations, so we are consulting widely and looking at the responses in detail to ensure that we come up with the right answers.

Mr Philip Dunne (Ludlow) (Con): The Minister will be aware that community transport providers along the Welsh border play a vital role in helping patients get to hospital and undertake some school contracts. I encourage him to speak to his colleagues in the Department for Transport to ensure that these vital services continue, irrespective of the court ruling, so that these services can be maintained in rural areas.

Stuart Andrew: My hon. Friend is absolutely right. These services often carry some of the most vulnerable and isolated members of society, which is why we are being careful to consult widely. I assure him that I already have an appointment in the diary with the Under-Secretary of State for Transport, my hon. Friend the Member for Hereford and South Herefordshire (Jesse Norman).

Chris Elmore (Ogmore) (Lab): Bridgend Community Transport has some specific concerns about having to employ a transport manager costing in excess of £35,000. There is a real risk of that if the regulations go through after the consultations by the Department for Transport. May I ask the Minister, with all sincerity, to please be aware that these measures will have real implications if the Government simply do nothing to support community transport organisations?
Mr Speaker: I am aware of the real concerns of many operators. I have seen a lot of letters that have come in. There have been more than 500 responses to the consultation, and 550 operators attended each of the events around the country. We will ensure that we look at this in detail. [Interruption.]

Mr Speaker: Order. We are listening to exchanges about the effect of section 19 and 22 permits on community transport providers in Wales, upon which we need to hear the inquiry of the right hon. and learned Member for Rushcliffe (Mr Clarke).

Mr Kenneth Clarke (Rushcliffe) (Con): Will my hon. Friend press his colleagues in the Department for Transport to query the legal advice that has changed the interpretation of these European Community rules, because it seems to be ultra-cautious? Will he ensure that genuine community services with unpaid, voluntary drivers and unpaid staff—providing services that no commercial operator would provide—are not put out of business by quite unnecessary regulations and costs?

Mr Speaker: In Wales.

Stuart Andrew: Yes, indeed, in Wales, Mr Speaker. Well, I defer to my right hon. and learned Friend’s expertise in all matters legal. I would therefore, perhaps, in preparation for my meeting with my hon. Friend the Under-Secretary of State for Transport, ask for my right hon. and learned Friend’s guidance and advice so that I can present a case for the people of Wales.

Air Pollution: Chepstow

7. David T. C. Davies (Monmouth) (Con): Whether he has had discussions with local councillors in Monmouthshire on air pollution in Chepstow; and if he will make a statement. [905733]

The Secretary of State for Wales (Alun Cairns): I have met Monmouthshire county councillors and share their concerns regarding air pollution around Chepstow. The abolition of the tolls on the Severn crossings represents a huge opportunity for economic growth in Chepstow and Monmouthshire, but we must also be alive to those sorts of pressures.

David T. C. Davies: I thank my right hon. Friend for the interest that he has taken in this issue. Will he continue to press the Welsh Labour Government to fulfil their obligations by building a Chepstov bypass and showing the same commitment to clean air and a better environment that is being shown by this Conservative Government?

Alun Cairns: My right hon. Friend the Secretary of State for Transport has established a strategic roads group in Britain, in which we can discuss cross-border issues. A meeting was held just last week. I am disappointed that the Welsh Government were not present, but we can continue to engage on a positive basis to ensure that these cross-border opportunities are exploited to the best of our ability.

Ben Lake (Ceredigion) (PC) rose—

Mr Speaker: I was about to say to the hon. Gentleman that Ceredigion is a considerable distance from Chepstow, but I am sure that he will construct his question in terms that make it orderly.

14. [905740] Ben Lake My colleague Simon Thomas is leading the way on tackling air pollution and has proposed a clean air Act for Wales. Does the Secretary of State agree that there is a case for transferring responsibility for fuel duty income so that the National Assembly has the additional resources to tackle air pollution?

Alun Cairns: The hon. Gentleman makes an extremely important point about air quality, which is why the Government have launched their clean air strategy. There have been significant improvements in this field since 2010, but we absolutely recognise the challenges. I am not sure about the second element of his question, which relates to further devolution of fiscal policy.

Steel Industry

9. Mark Tami (Alyn and Deeside) (Lab): What recent discussions he has had with the Secretary of State for Business, Energy and Industrial Strategy on the steel industry in Wales. [905735]

13. Liz McInnes (Heywood and Middleton) (Lab): What recent discussions he has had with the Secretary of State for Business, Energy, and Industrial Strategy. We remain committed to supporting the sector to remain competitive in a challenging global marketplace.

Mark Tami: US steel tariffs represent a major threat to the Welsh steel industry, so what are the Government doing not only to get the US to see sense, but to limit the threat of displaced steel being dumped in the UK and further undermining our steel industry?

Alun Cairns: The hon. Gentleman will be well aware that my right hon. Friend the Prime Minister has raised this matter directly with the President of the United States. The Secretary of State for International Trade has also raised it with his counterpart, and I have spoken to the UK’s trade commissioner in the US and to the US ambassador here in the UK. It is only by working with the European Union on these issues that we can bring about the best pressure. I am confident that the UK can play a leading part in those negotiations.

Liz McInnes: It is estimated that 100,000 tonnes of steel will be needed for the Swansea Bay tidal lagoon project, so what representations has the Secretary of State made to his colleagues to show that scrapping the project would mean denying the Welsh steel sector that vital opportunity?

Alun Cairns: We had a series of questions on the Swansea Bay tidal lagoon earlier, and we said that the project should only go ahead—I would really like it to go ahead—if it represents good value for money for the taxpayer. The hon. Lady notes the amount of steel that
would be needed, but that is less than a month’s output for a major steel plant. The project has an important procurement role, but it should not be overstated.

**North Wales Growth Deal**

10. **Susan Elan Jones** (Clwyd South) (Lab): What recent discussions he has had with the north Wales economic ambition board on the progress of the north Wales growth deal.

**The Parliamentary Under-Secretary of State for Wales (Stuart Andrew):** I am meeting the leaders of the growth board later today to discuss the progress they are making towards a deal, and last week my right hon. Friend the Secretary of State met members of the CBI in north Wales to hear what business needs. I remain committed to securing a deal, but it must deliver a step change in economic activity.

**Susan Elan Jones:** North Wales has a thriving voluntary sector and some excellent social enterprises. What engagement are Ministers in the Wales Office having with them?

**Stuart Andrew:** The hon. Lady might be interested to know that I have met every single council leader in north Wales—I had a particularly good conversation with the leader of Conwy Council about this issue—and I am encouraging them to involve the sector in the growth deal bid.

**Leaving the EU: Benefits for Wales**

11. **Owen Smith** (Pontypridd) (Lab): What recent assessment he has made of the benefits for Wales of the UK leaving the EU.

**The Secretary of State for Wales (Alun Cairns):** The Welsh economy approaches EU exit from a position of strength. Leaving the EU will allow us to shape our own ambitious trade and investment opportunities, in Europe and beyond, and put Wales and the wider UK at the forefront of global trade and investment opportunities.

**Owen Smith:** Some 67% of Welsh exports are to the European Union. Yesterday, the Office for National Statistics reported that manufacturing in our country declined by the greatest amount in the past five years, and Ernst and Young says that our exports are nosediving. How is Brexit going to help?

**Alun Cairns:** My hon. Friend is obviously very interested in how the successor to European aid programmes will work, as I am in relation to west Wales and the valleys in general. We have committed to a UK shared prosperity fund, which will allow us—this is one of the benefits of leaving the European Union—to come up with a much simpler and more targeted approach that can help the poorest communities across the UK.

**Exports**

12. **Stephen Kerr** (Stirling) (Con): What recent discussions he has had with Cabinet colleagues on supporting Welsh companies to export.

**The Parliamentary Under-Secretary of State for Wales (Stuart Andrew):** My right hon. Friend the Secretary of State and I hold regular discussions with colleagues on the promotion of Welsh exports, and I am pleased to say that those exports continue to grow. The latest figures show that the value of exports from Wales, including those to destinations outside the EU, increased by more than 7% over the past year.

**Stephen Kerr:** E-commerce gives even the smallest Welsh businesses the opportunity to get into exporting. What will the Department do to encourage the use of e-commerce among small and medium-sized businesses in Wales?

**Stuart Andrew:** My hon. Friend is absolutely right to mention that. Indeed, a good example is Net World Sports in Wrexham. That is an example of Welsh success in the retail market. Over 60% of its sales were in foreign markets last year, and it has won numerous industry awards in recognition of its success. There will be more of that in the future.

**Mr Speaker:** When the Government Chief Whip is comfortably seated—I do not want him to be discombobulated—and the Under-Secretary of State for Wales is happily seated, we will proceed to questions to the Prime Minister.

**Prime Minister**

*The Prime Minister was asked—Engagements*

Q1. [905812] **Gareth Thomas** (Harrow West) (Lab/Co-op): If she will list her official engagements for Wednesday 13 June.

**The Prime Minister (Mrs Theresa May):** Tomorrow marks one year on from the Grenfell Tower fire. I know that Members on both sides of the House will join me in saying that this unimaginable tragedy remains at the forefront of our minds. On Monday, I had the privilege to attend the very moving vigil in memory of those who were lost that night, and I was honoured to take part in an iftar with members of the local community. Let me again reassure the House that we are doing everything we can to see that the survivors of Grenfell get the homes and support that they need and the truth and justice that they deserve.

I would also like to take this opportunity to wish the England men's football team the very best in the upcoming World Cup.
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.

Gareth Thomas: I am sure the whole House will want to echo the Prime Minister’s comments about the Grenfell tragedy 12 months ago. My constituents certainly will want me to echo her good wishes to the England football team.

Last year, the top five co-operatives in our country paid more than four times the corporation tax of Amazon, Facebook, eBay, Starbucks and E.ON. I am sure the Prime Minister will want to praise the patriotism of those who have signed up to the Fair Tax Mark campaign. Might this not be an opportunity to encourage the Department for Business, Energy and Industrial Strategy and the Treasury to take a more proactive and supportive interest in the growth of co-operative and mutual businesses?

The Prime Minister: I thank the hon. Gentleman for his comments about his constituents’ support and thoughts for all those affected by the Grenfell Tower fire.

On the issue of taxation, the hon. Gentleman may have noticed that Her Majesty’s Revenue and Customs has been requiring some of the large companies that he referenced to pay more tax and has ensured we get that tax from them. It looks fairly across all types of institution that operate in this country.

Q3. [905814] Mr Mark Harper (Forest of Dean) (Con): One of the key reasons why people voted to leave the European Union was to get back control of immigration policy, so that we could welcome people to our country based on their skills and talents, not the country they are from. We cannot stay in the European economic area, which we will debate later, without continuing with free movement of people. May I urge the Prime Minister to stick to our policy of leaving the single market, getting back control of our immigration policy and not listening to the many Labour voices who want to continue with unlimited migration from the European Union?

The Prime Minister: I absolutely agree with my right hon. Friend. The Labour party used to say that it wanted control of our borders. Now what it wants is free movement. We will take back control of our borders.

Jeremy Corbyn (Islington North) (Lab): I wish the England team all the best in the tournament in Russia and hope that it goes really, really well—[Interruption]—and that England win!

This week is national Carers Week, and I want to take this opportunity to pay tribute to the thousands of unpaid carers who have every day to support their friends and families, and I want to pay tribute to all the victims of the Grenfell Tower fire for the strength and dignity that they have shown.

Mr Speaker: Order. Mr Geraint Davies, you are a senior and supposedly cerebral Member of the House—in a leap year anyway—and you must attempt to recover your composure, man. I am worried about you, and I am worried for you.

The Prime Minister: On the Brexit negotiations, I might remind the right hon. Gentleman that, before December, Labour cast doubt on whether we would get a joint report agreed—we did—and before March, he cast doubt on whether we would get an implementation period, and we did.

I wanted, if I may, just to respond to the comment that the right hon. Gentleman made about the very important subject of providing those who were the victims of the Grenfell Tower fire with permanent homes. Just so that I can make it clear to the House: 203 households were in need of a new home; every household has received an offer of temporary or permanent accommodation; and 183 have accepted an offer of a permanent home.

I just wanted to say this, because it is not just about the buildings; it is not just about the bricks and mortar of a home. People who suffered that night are having to rebuild their lives. Many of them lost somebody—members of their families—with whom they had been living and making a home for years. They lost all their possessions; they lost their mementoes; and they lost anything that reminds them of the person they loved. When they move into that new home, they will be restarting their lives, and I wanted to pay tribute to all the victims of the Grenfell Tower fire for the strength and dignity that they have shown.

Jeremy Corbyn: I, too, pay tribute to the families for all they have been through and all the fortitude they have shown, but, sadly, the reality is that some of them have still not got a permanent home to move into. It is very important for the mental wellbeing of everybody that they have somewhere they can call home and they know it is their home.

Last week, the Prime Minister confirmed we would leave the European Union in March 2019 and the transition would end in December 2020, but we now know the Government are working on the basis that the transition could continue for a further year, till December 2021. Could she be clearer today? Which December are we talking about?

The Prime Minister: No, the right hon. Gentleman is quite wrong in the way he has put this to the House, so let me be clear to the House. I think what he is trying to talk about is the backstop arrangement that we have agreed. Let us be very clear what this backstop is: this is an arrangement that will be put in place in the circumstances in which it is not possible to put the future new customs arrangement in place by 1 January 2021. It is there to ensure that, if those new customs arrangements are not in place, we are able to continue on the basis that there is no hard border between Northern Ireland and Ireland. We are working to make sure that the future customs arrangements overall deal with the issue of ensuring no hard border between Northern Ireland and Ireland. We do not want the backstop to be necessary. We are working to ensure that we can have our future customs arrangements in place on 1 January 2021.
Jeremy Corbyn: I am not really sure whether it is a backstop or a backslide that the Prime Minister is talking about here.

Last week, I asked the Prime Minister about this, and I am sorry to bring this subject up again because it is probably quite painful for her, but when is the Government's Brexit White Paper going to be published? She did say it would be published before the June EU Council summit. Is that still the case?

The Prime Minister: No, I did not actually say that. I said the White Paper would be published, and we will be publishing it. We will be bringing Ministers together. [HON. MEMBERS: “When?”] Just calm down. We will be bringing Ministers together after the June Council, and the White Paper will be published thereafter.

Jeremy Corbyn: It gets ever more confusing, because at the weekend the Minister for the Cabinet Office told the BBC that it would not now be until July. Can I offer a solution to the Prime Minister? Instead of worrying about this White Paper, on which the Cabinet would have to agree, how about making it a Green Paper in which all their disagreements are in the open, and we can all comment on it? If the Government do not, as looks likely, have their detailed proposals ready for the June summit, surely the Prime Minister cannot be going to Brussels without anything to negotiate on, so is she going to seek a delay to that summit while the Government decide what their position actually is?

The Prime Minister: Perhaps I could just help the right hon. Gentleman. The June European Council is not a summit about the Brexit negotiations. There will be many issues that the European Union leaders will be discussing at the June European summit, including the important issue of sanctions against Russia. I will be pressing to ensure that we maintain sanctions against Russia, because the Minsk agreements have not been put in place, and indeed I think there are some areas where we should be enhancing that sanctions regime.

The right hon. Gentleman says that my right hon. Friend the Chancellor of the Duchy of Lancaster and Minister for the Cabinet Office said that the White Paper would be published in July and that that is different from what I have just said. I have to say to him that after the June European Council is July. But if he wants to talk about differences of opinion, I will tell him what division really is: it is Labour Members—[INTERUPTION.] It is all very well the deputy leader of the Labour party circulating instruction manuals on how to deselect all the Labour MPs sitting behind him.

Jeremy Corbyn: “You’ve got to face the fact there may now be a meltdown.” They are not actually my words, but those of the Foreign Secretary, even as his fellow Cabinet Ministers are preparing people for the Government’s negotiations, which he clearly thinks are going to end in disaster. Last week, he also took aim at the Treasury—the Chancellor is sitting absolutely next to him—calling them “the heart of remain”. He criticised them, saying:

“What they don’t want is friction at the borders. They don’t want any disruption of the economy”.

Does the Prime Minister back the Foreign Secretary in wanting more friction and more disruption to the economy?

The Prime Minister: Let’s talk about the positions on this issue. Labour said it wanted to do new trade deals—[INTERUPTION.]

Mr Speaker: Order. I want to hear both the questions and the answers, and as the record shows—[INTERUPTION] Order. I do not require any assistance in this matter. As the record shows, that will always happen, however long it takes. There is a lot of noise and much gesticulation from Members on both sides of the House, but I want to hear the questions and I want to hear the answers.

Mr Dennis Skinner (Bolsover) (Lab): Answer the questions—you’re in government.

The Prime Minister: The hon. Member for Bolsover (Mr Skinner) is absolutely right: we are in government, not Labour. We have set out our position on the border, but what we see is a Labour party that said it wanted to do trade deals, and now wants to be in a customs union that would stop that. They said they wanted to control our borders, and now they want free movement. They said they would respect the referendum, and now they will not rule out a second referendum. That is the difference between us: the Conservative party in government is going to deliver on the will of the British people.

Jeremy Corbyn: In the parallel universe inhabited by the Foreign Secretary, we are apparently not respecting the referendum result unless we want friction at the borders and disruption of the economy.

The Cabinet is divided, and they are briefing against each other—they are even whispering during Prime Minister’s Question Time. The Prime Minister has been left with no White Paper on which to negotiate. Last week the transition period was delayed by a year, in the space of 24 hours. Yesterday a deal with her Back Benchers was renegotiated on within hours. Meanwhile, the economy is weakening and industry is increasingly alarmed at the sheer ineptitude of her Government. How much more damage is the Prime Minister going to do to this country before she realises that the important thing is to get a deal for the people of this country, not one to appease the clashing giant egos of her Cabinet?

The Prime Minister: It is the Labour party in opposition which is trying to frustrate Brexit. It is the Labour party which is trying to stop us getting a deal for the British people. This Government will deliver on Brexit. This Government will deliver a Brexit for jobs. This Government will deliver a Brexit that is good for Britain. If the right hon. Gentleman wants to talk about the economy, the last Labour Government left office with half a million more people out of work than when they went into office. What has happened under the Conservatives? We have seen nearly half a million more people in work just over the past year: that is the Conservatives delivering on a Britain that is fit for the future.

I have heard that the right hon. Gentleman is trying to organise a music festival, Labour Live. I will pass over the fact that it is going to have a “solidarity tent”, which obviously won’t have any Labour MPs in it. I do not know if all Members of the House are aware of the headline act at Labour Live. The headline act at Labour Live are the shadow Chancellor and the Magic Numbers—that just about sums them up.

HON. MEMBERS: More!
Mr Speaker: Order. The House must come to order. We must now hear a most courteous fellow, Richard Drax.

Q5. [905816] Richard Drax (South Dorset) (Con): Will my right hon. Friend join a growing number of her Ministers who are very supportive of our bid for a one-off grant of £18 million to repair Weymouth’s harbour walls and improve flood defences? This work—not my wall, Weymouth’s harbour wall. If only, Mr Speaker! This work is essential if planning permission is to be granted to redevelop an important retail and housing area in the resort, thereby safeguarding existing jobs, creating new ones and providing more homes.

The Prime Minister: I commend my hon. Friend for his work. I know he has worked hard on the issue of flood defences. I am sure, however, he will understand that Ministers need to consider the various options for allocations of the fund very carefully. We need to ensure we are getting the best possible outcomes across the whole country. The scheme to which he refers is on the list of projects being considered for the £40 million fund. It is intended to support high risk communities and I can tell him that we anticipate the decision will be made by summer 2018.

Ian Blackford (Ross, Skye and Lochaber) (SNP): The Prime Minister gave a commitment that she would treat Scotland as part of a union of equals, yet last night she pressed ahead with a power grab in direct opposition to Scotland’s elected Parliament. The Prime Minister silenced Scotland’s voice. Having broken constitutional convention and plunged Scotland into a constitutional crisis, will the Prime Minister now commit to bringing forward emergency legislation, so that the will of the Scottish Parliament can be heard and, more importantly, respected?

The Prime Minister: We expect—and it will happen—that the outcome of the whole process of Brexit is going to be a significant increase in Holyrood’s decision-making power. It is not the case that this is in any way a power grab. More than 80 areas of decision-making responsibility will flow directly to Holyrood. Only the Scottish National party could say that was a power grab. If the right hon. Gentleman is concerned about the legislative process the House has followed, he should really ask why the Labour party used procedural manoeuvres last night to ensure that there was no debate on the amendments that referred to Scotland.

Ian Blackford: I really hope that the people of Scotland listened very carefully to what the Prime Minister said. The reality is that powers enshrined under the Scotland Act 1998 are being grabbed back by this House—it is a power grab—and MPs from Scotland were not given the courtesy even of being allowed to debate the matter last night. It is a democratic outrage. The people of Scotland will not be disrespected by this Parliament. In the circumstances, given the disrespect shown, I have no option but to ask that this House now sit in private.

Mr Speaker: I am not hearing that at this time, and I am not obliged to do so—that is my clear understanding.

Ian Blackford rose—

Mr Speaker: Order. The right hon. Gentleman can resume his seat. I will happily take advice, but I do not think I am obliged to hear the matter at this time.

I think the relevant Standing Order requires that the matter be put, if it is to be put, forthwith—[Interruption.] Order. It might be for the convenience of the House for the matter to be addressed at the conclusion of Prime Minister’s questions, and if the right hon. Gentleman, who had not signalled to me his intention to do this now, wishes—[Interruption.] Order, order. I am always grateful for the moral support of the right hon. Member for Broxtowe (Anna Soubry), even when chuntered from a sedentary position. I realise it is done for my benefit, but I think I can handle the matter. We could have the vote now, or it could be taken at the end. If the right hon. Gentleman wishes to indicate a desire to conduct such a vote now, so be it.

Ian Blackford: I beg to move, That the House sit in private.

Mr Speaker: My advice—I have had a mixed sequence of advice—[Interruption.] Order. This has not happened before. [Interruption.] Order. My view is that it is better for the vote to be conducted—[Interruption.] Order. My view is that it is better for the vote to be conducted at the conclusion of questions to the Prime Minister.

Ian Blackford rose—

Mr Speaker: Order. I always admit of the maximum number of votes and Divisions, as the right hon. Gentleman should know from his experience in the House, and I hope that he will trust that I know of what I speak. There can be a Division, and it will be at the end of questions, not now. That is the end of the matter. I call the Prime Minister.

The Prime Minister: Mr Speaker, might I ask—

Ian Blackford rose—

Mr Speaker: No, you are not moving anything. Resume your seat!

Ian Blackford rose—

Mr Speaker: Resume your seat. No, no. Mr Blackford, resume your seat. No, no. Resume your seat. [Interruption.] Order, order. The House will have heard very clearly—[Interruption.] Order, please. The House will have heard very clearly my acceptance that there can be a vote on this matter—

David Linden (Glasgow East) (SNP): Now!

Mr Speaker: Order.

David Linden: Now!

Mr Speaker: Mr Linden, I say to you, and I say it in the kindest possible spirit: do not tell me what the procedures of this House are. I am telling you that there can be vote at the end of questions, and not now. I am not—

Ian Blackford rose—

Mr Speaker: No, no. Mr Blackford. Order, order.

Under the power given to me by Standing Order No. 43, in the light of the persistent and repeated refusal of the right hon. Member for Ross, Skye and Lochaber
(Ian Blackford) to resume his seat when so instructed, I order the right hon. Gentleman to withdraw immediately from the House for the remainder of this day's sitting. The Speaker ordered Mr Blackford, Member for Ross, Skye and Lochaber, to withdraw immediately from the House during the remainder of the day's sitting (Standing Order No. 43), and the Member withdrew accordingly.

Mr Speaker: Order. [Interruption.] Order! Mr Jayawardena, you are a very jocular fellow, but you are a little over-excitable today. Calm! There is a long time to go. [Interruption.] Order. I say only to the House, what a pity that the Scottish National party Members have left the Chamber, because some of them have questions on the Order Paper, and, as colleagues know, I always like to get to the end of the Order Paper. They would have had their chance, and they have lost that chance by their own choice.

I call Mr Luke Hall.

Q8. [905819] Luke Hall (Thornbury and Yate) (Con): Thank you, Mr Speaker. Given the number of people who are leaving the Chamber, I feel as though I am making one of my after-dinner speeches. [Laughter.]

Youth unemployment in Thornbury and Yate—[Interruption.]

Mr Speaker: Order. I recognise that the House is in a state of some excitement—even Mr Hollinrake, who is normally a model of solemnity, is looking as though Christmas has come early—but I beseech the House to try to resume calm, not least out of courtesy to Members who have questions on the Order Paper, to whom, and to whose questions, we wish to listen. Luke Hall.

Luke Hall: Thank you, Mr Speaker.

Youth unemployment in Thornbury and Yate has fallen by 23% in the last year, and the scrapping of stamp duty for more than 80% of first-time buyers means that more people in south Gloucestershire can afford a home of their own. Does the Prime Minister agree that while the Labour party can offer only higher taxes, fewer jobs and broken promises on student debt, this Government will focus on finding opportunities for young people up and down the country?

The Prime Minister: I am pleased to hear that a significant number of young people in Thornbury and Yate now have jobs. If we look at the figures, we see that, nationally, youth unemployment has fallen by about 141 every single day since 2010. However, my hon. Friend is absolutely right: it is not just about Christmas that chance by their own choice.

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Ms Nadine Dorries (Mid Bedfordshire) (Con): My constituents have been incredibly tolerant in the face of the fiasco of their commuter journeys following the reorganisation of the timetables. However, added to their misery is the fact that when trains do turn up they are incredibly overcrowded. I have written to Gavia three times asking it to conduct a risk assessment on the safety of my constituents who are their passengers as they come into London, and three times Gavia has refused to answer me. Will the Prime Minister please use her good offices to ensure that our passengers travelling on overcrowded trains at the moment and suffering because of the rail delays are safe?

The Prime Minister: My hon. Friend raises an important issue, and the experience of passengers of Gavia Thameslink and also Northern as a result of the change in timetables and the way that was done is simply unacceptable. It is important that they improve the services, and they have plans in place. I think, for example, that Gavia Thameslink is introducing a new timetable that is better than the pre-May timetable and will have 200 more planned journeys. But of course passengers want to feel that they can travel in trains that are not too crowded, and I am sure that Gavia Thameslink will be looking at that issue very seriously. The Department for Transport is working with that company and Northern to ensure that we can provide the services that people deserve; they pay for a ticket—they book a ticket, they pay for a season ticket—and they deserve to have a decent journey.

Q6. [905817] Dr David Drew (Stroud) (Lab/Co-op): The average length of time that a Stroud constituent has to wait to go to the Gloucester and Cheltenham centre for a PIP appeal is now 41 weeks, and the wait for an employment and support allowance appeal is 31 weeks. During that period of time constituents are now losing Motability cars and suffering enormous hardship. Will the Prime Minister promise to get a grip on this and make sure this hardship is not endured any longer?

The Prime Minister: Of course it is important that people are able to have their appeals heard in a timely fashion. My right hon. Friend the Work and Pensions Secretary is looking at exactly this issue to see what can be done in the tribunal system to ensure that people get a more timely result.

Mr John Whittingdale (Maldon) (Con): Will my right hon. Friend join me in welcoming the Speaker of the Ukrainian Parliament, Mr Andriy Parubiy, to Westminster—although I suspect that he is utterly mystified by the events that took place 10 minutes ago? Will she take this opportunity to reaffirm the support of the UK for Ukraine, which is in the frontline against Russian aggression? Does she share the concern of Ukraine, along with Lithuania and Poland, about the strategic threat of the Nord Stream 2 Russian gas pipeline?

The Prime Minister: I am very happy to reaffirm the United Kingdom’s commitment to and support for Ukraine. Only a matter of weeks ago, I was pleased to be able to have a further conversation with President Poroshenko about the support that we are able to give to Ukraine, and about the work we are doing with Ukraine on the reforms that are being put through. Also, as I mentioned in response to a previous question, it is important that the European Union should maintain the sanctions on Russia, because the Minsk agreements have not been put in place and fully implemented. We need to continue to show the Russians that we do not accept what they have done in Ukraine.

Q7. [905818] Jo Stevens (Cardiff Central) (Lab): It is almost a year since the Government promised their domestic violence and abuse Bill, and the publication of that Bill will trigger a cross-party amendment that has widespread support to decriminalise abortion across the whole of the UK, which is long overdue. Will the Bill be published before the summer recess, and will the Prime Minister give a commitment today on the Floor of the House that her MPs will have a free vote on decriminalisation?

The Prime Minister: The hon. Lady raises a number of aspects of this issue. The domestic violence and abuse Bill will be published in draft first. We have been taking our time, through the consultation, to work with those involved in working with victims of domestic violence and abuse, and to hear from victims and survivors, because we want to ensure that, as we bring this legislation together in the new Bill, we are getting it right for people. She refers to the issue of abortion. I believe it is absolutely right that a woman should have the right to a safe and legal abortion. As regards Northern Ireland, I believe that the best way—and my preferred way—is for that decision to be taken by the elected politicians in Northern Ireland, because it is a devolved matter. As regards votes on abortion in this House, they have always been treated as conscience matters and they will therefore be subject to a free vote.

Julia Lopez (Hornchurch and Upminster) (Con): This month, the National Institute for Health and Care Excellence—NICE—will decide whether to fund a new treatment for neuroblastoma, a vicious childhood cancer that is affecting my constituent, Isla Caton. Will the Prime Minister encourage NICE and the drugs companies to do a deal to provide new treatments for children in Britain, so that their families do not have to fundraise for them to receive those treatments in America?

The Prime Minister: I know that my hon. Friend has raised this issue on behalf of her constituents: I believe that she has a constituency case involving the issue. NICE is developing guidelines for the NHS on the use of dinutuximab beta—I am not sure if I pronounced that correctly—for the treatment of high-risk neuroblastoma. It has not been able to recommend the drug as a clinically and cost-effective use of resources in its draft guidance, but it has consulted stakeholders on its draft recommendations. This is an ongoing NICE appraisal, and it is not for the Government to intervene in that, but NICE will obviously take all comments into account in its final guidance. I think that the manufacturer of the drug is currently making it available to some NHS patients through a compassionate use scheme, and has agreed to continue the scheme for patients who are currently receiving the treatment.

Mr Speaker: I call Brendan O’Hara. Not here. I call Mr Jacob Rees-Mogg.
Mr Jacob Rees-Mogg (North East Somerset) (Con): Vernon Bogdanor called the noble Lord, Lord Hailsham’s amendment, which we rejected yesterday, a “constitutional absurdity”. While it is essential that this House should hold the Government to account and have meaningful votes on many things, does my right hon. Friend agree that it is absolutely essential that the separation of powers should be observed, and that it should be made clear in any compromise amendment that the job of the Government and the job of Parliament are different?

The Prime Minister: I am happy to be clear about this situation. We have seen concerns raised about the role of Parliament in relation to the Brexit process. What I agreed yesterday is that, as the Bill goes back to the Lords, we will have further discussions with colleagues over those concerns. This morning, I have agreed with the Brexit Secretary that we will bring forward an amendment in the Lords, and there are a number of things that will guide our approach in doing so.

My hon. Friend is absolutely right about the separation of powers and the different roles of Government and Parliament. As my right hon. Friend the Member for Bromsgrove (Sajid Javid), called in the planned expansion of the Mall at Cribbs Causeway in my constituency, the plan represents huge economic benefit to the Bristol and south Gloucestershire area, and there are 3,000 construction jobs, 3,750 permanent jobs and 150 new homes at stake, as well as a significant amount of infrastructure investment. Will the Prime Minister urge the new Secretary of State for Housing, Communities and Local Government to start as he means to go on and make a good decision quickly?

Mr Speaker: I call Pete Wishart. Not here.

Jack Lopresti (Filton and Bradley Stoke) (Con): Fifteen months ago, the then Secretary of State for Communities and Local Government, my right hon. Friend the Member for Bromsgrove (Sajid Javid), called in the planned expansion of the Mall at Cribbs Causeway in my constituency. The plan represents huge economic benefit to the Bristol and south Gloucestershire area, and there are 3,000 construction jobs, 3,750 permanent jobs and 150 new homes at stake, as well as a significant amount of infrastructure investment. Will the Prime Minister urge the new Secretary of State for Housing, Communities and Local Government to start as he means to go on and make a good decision quickly?

Mr Speaker: I call Pete Wishart. Not here.

The Prime Minister: Obviously, my hon. Friend refers to the independent public inquiry, and after that took place the then Communities and Local Government Secretary called in the decision, and the new Housing, Communities and Local Government Secretary is considering the inspector’s report. I understand that the Secretary of State hopes to issue his decision on or before the published target date of 2 August.

Q11. [908522] Jeff Smith (Manchester, Withington) (Lab): It took nearly 5,000 cancelled trains in just three weeks for the Transport Secretary to notice the Northern rail crisis. If this Government cannot run our railways properly, will the Prime Minister agree with businesses, council leaders and over 25 newspapers from across the region and give Transport for the North the powers that it needs to do the job?

The Prime Minister: We have given Transport for the North unprecedented powers to influence decisions about transport investment in the north, but what is more we have backed it up with £260 million of Government funding. It has the powers to deliver a transport strategy, which the Government must formally consider, to fund organisations and to deliver transport projects. Those and its other powers are exactly what Transport for the North requested.

Bim Afolami (Hitchin and Harpenden) (Con): The Prime Minister is, I know, aware of the severe difficulties that my constituents have faced with recent delays to train services. Will the Prime Minister reassure me and my constituents that the Government will do everything they can to ensure that Govia Thameslink Railway and Network Rail get into shape to ensure a better-quality train service both now and into the future?

The Prime Minister: As I said in response to the earlier question from my hon. Friend the Member for Mid Bedfordshire (Ms Dorries), the immediate priority is to ensure that we see an improvement in services for Govia Thameslink passengers. That is why it has introduced a new timetable that is not the final timetable, but it is better than the pre-May timetable. We also need to ensure that GTR takes action so that it can bring forward the proposed new timetable, which will provide more services and better services for passengers. In the long term, the Government are working to bring train and track together so that we do not see problems like this in the future.

Mr Speaker: Chris Law—not here.

All these Opposition opportunities are being lost, and I think that should not continue.

Chris Williamson (Derby North) (Lab): The Prime Minister will be aware that schools are often targeted in warzones. A couple of months ago, I met year 7 students from Lees Brook School in my constituency, and they implored me to ask the Prime Minister to sign the safe schools declaration, which I understand has subsequently been signed. Does that declaration mean that she will now veto future arms sales to brutal regimes such as Saudi Arabia, which has been targeting schools as part of its military campaign in Yemen?

The Prime Minister: The issue of the education of girls and boys in conflict zones is an important one, and it is one that was addressed at the G7 summit. We have been clear, as the United Kingdom Government, that we are providing financial support to ensure 12 years of quality education for girls, particularly in developing countries, and the G7 summit gave its commitment not only in financial terms, as we are contributing more to provide for quality education, but to focus on areas where there are conflict zones and particular action needs to be taken to ensure that education can be provided.

Bob Blackman (Harrow East) (Con): Very sadly, my constituent Gena Turgel lost her life last week, aged 95. Gena survived the Krakow ghetto, Auschwitz-Birkenau
and Buchenwald, and she became known as the bride of Belsen when she married her liberator. Will my right hon. Friend join me in celebrating the life of Gena, who dedicated her life to informing young people about the horrors of the holocaust, and in ensuring that, although a light has gone out, her legacy lives on?

The Prime Minister: I am happy to join my hon. Friend in paying tribute to Gena Turgel and to the work she did over so many years. She was one of the first survivors to go into schools to share her story. I have seen, as I am sure other hon. and right hon. Members have, the impact on young people of a survivor of the holocaust going into schools to explain what happened. It is moving, and she showed considerable determination and strength. Her example is truly humbling.

It is right that Gena Turgel is going to live on in the national holocaust memorial and in the accompanying education centre, which will house her testimony for generations to come. We must never forget what Gena taught us. We must fight hatred and prejudice in all its forms.

Q13. [905824] Anna McMorrin (Cardiff North) (Lab): On her walking holidays in Wales, the Prime Minister must have seen our beautiful beaches, but plastic is killing our oceans and polluting our seas. Will she stay in the Chamber for a few minutes after Prime Minister’s questions to listen to me introduce my ten-minute rule Bill on plastic pollution, and will she support it so that we can save our seas?

The Prime Minister: When I go walking in Wales I tend to walk up and down hills, rather than on the beaches, but I know that Wales has some fantastic beaches. The hon. Lady raises the important issue of marine plastic. The UK public, as well as Members across the House, have shown great energy in picking up this cause and in wanting to fight against plastic waste.

Indeed, the UK is going to be leading, jointly with Vanuatu, the newly formed Commonwealth Clean Oceans Alliance, and we are committing £61 million to fund global research and to improve waste management in developing countries to tackle plastic pollution. Again, this is another issue we took forward at the G7 summit and we got commitments on dealing with plastic waste.

I say to the hon. Lady that, with the greatest of respect, I am sorry but I think my diary has already been slightly changed as a result of what has been happening in the Chamber today. I regret that I will not be able to sit and listen to her speak to her Bill.

Philip Davies (Shipley) (Con): Does the Prime Minister agree that those people who want a meaningful vote in this House which would allow the House to vote to stay in the European Union would be betraying the result of the referendum? That shows how much the Labour party has lost touch with working-class people up and down this country. Does she further agree that those people who want to take no deal from the Government’s negotiating hand would only incentivise the European Union not to negotiate in any meaningful way, and would betray not only the result of the referendum but the best interests of the British people?

The Prime Minister: As we go ahead with these Brexit negotiations, we are of course ensuring that we make preparations for all eventualities. That is entirely right and proper for the Government to do but, as I set out in response to my hon. Friend the Member for North East Somerset (Mr Rees-Mogg), I am also clear that I cannot countenance Parliament overturning the will of the British people. The British people were given the choice on whether to stay in the European Union, and they were given that choice through the overwhelming vote of this Parliament. It is right that we listen to the British people and deliver what they asked us to do, which is to leave the European Union.

Mr Speaker: Angela Crawley—not here.

Chris Evans (Islwyn) (Lab/Co-op): For a number of years we held a march in Islwyn to commemorate the service of test veterans to our country. Last week, test veterans were in the House of Commons to campaign for a medal for their service. Will the Prime Minister look at their campaign with a view to giving them a medal for the service they have given to this country?

The Prime Minister: I think this is the first time the issue has been raised with me, and I will look carefully at what the hon. Gentleman has said in the House.

Giles Watling (Clacton) (Con): As a father of twin girls who, as they are happily growing up in Clacton, enjoy a very equal upbringing and education, I celebrate the announcement of the G7 supporting girls’ education. Does my right hon. Friend agree that we should support equality for women across the globe?

The Prime Minister: I am very happy to join my hon. Friend in agreeing with that and in saying that there are many ways in which we can express that and put it into practice, not just in supporting girls’ education but in the work we are doing on modern slavery. Modern slavery affects men as well as women, but we see many women from around the globe being trafficked into other countries for sexual or labour exploitation, and we are leading the fight to ensure they have equality and are not put into that position.

Mr Speaker: Alison Thewliss—not here. Tom Brake—

Chris Ruane (Vale of Clwyd) (Lab): Not here!

Mr Speaker: Order. Mr Brake is here. He is always here. He stands every week and he is going to be heard.

Tom Brake (Carshalton and Wallingford) (LD): Thank you, Mr Speaker.

The president of the CBI has said today that sections of the UK car industry face “extinction” unless the UK stays in the EU customs union. Is there any level of damage inflicted by Brexit that would cause the Prime Minister to consider supporting the people having a final say on the deal and a chance to exit from a disastrous Brexit? I could also put that to the Leader of the Opposition.

The Prime Minister: As I have said many times in this House, we are looking to ensure that our future customs arrangement with the European Union enables us to have as frictionless trade with the European Union as possible and no hard border between Northern Ireland and Ireland, while also enabling us to have an independent
trade policy and to negotiate trade deals around the world. I have been clear in a number of my answers that I and this Government will deliver on the vote of the British people to leave the European Union. I seem to remember there was a time when the Liberal Democrats thought that the people should have the choice.

Mr Speaker: Finally for today, Mr Iain Stewart.

Iain Stewart (Milton Keynes South) (Con): Today marks the Princess Diana Award’s Stand Up to Bullying Day. Although much progress has been made, too many young people take their own life as a result of bullying in schools. Will the Prime Minister congratulate the people at the Diana Award on their work, and recommit her Government to tackling this scourge?

The Prime Minister: I thank my hon. Friend for raising this. I am happy to join him in congratulating the work of all those involved in the Diana Award. He raises a really important issue. We have made progress but, as he has pointed out, too many people are bullied in schools, and sadly that sometimes has tragic consequences. We are providing £1.7 million of funding over the next two years for anti-bullying organisations, one of which is the Diana Award, but more needs to be done. We will continue to press hard on this issue and to work hard to eliminate bullying.

Mr Speaker: I must say to the House, before we come to points of order, that for all the turbulence and discord of today’s proceedings, the little baby who has been observing them has been a model of impeccable behaviour from start to finish. [Applause.] I have just been advised that the father is the hon. Member for Norwich South (Clive Lewis). I am not going to go so far as to say that his behaviour is always impeccable, but the little baby has been impeccable, and we salute that—the future of our democracy and the future of our country. I am most grateful to the Prime Minister, the Leader of the Opposition and colleagues.
Mr Speaker: I see that a former shadow Secretary of State wants to get in, but I will take the right hon. Member for Orkney and Shetland (Mr Carmichael) first, and then the shadow Leader of the House.

Mr Carmichael: On a point of order, Mr Speaker—this is, in fact, further to the point of order from the hon. Member for Moray (Douglas Ross). As you have said, Mr Speaker, applications should normally be made by half past 10 in the morning. Obviously, I did not make such an application, but Standing Order No. 24, subsection (4), allows you, Mr Speaker, to consider an application if “the urgency is not so known” at 10.30 am, and notice can be given “as soon thereafter as is practicable.”

My suggestion to you, Mr Speaker, is that the urgency became apparent at the point at which the right hon. Member for Ross, Skye and Lochaber (Ian Blackford) decided that pulling a stunt was more important than allowing Scottish Members a proper debate on this subject.

Mr Speaker: I am very grateful to the right hon. Gentleman, and I say that with sincerity. He is an accomplished and dextrous lawyer—[Interruption.] Well, I think he is an accomplished fellow. What I say to him is “nice try”, but I am afraid that it does not work. The reason why his argument, or thesis, if I may dignify it thus, does not quite work is that the matter in question, which was arguably urgent or even constituting an emergency, was the need for a debate on the Sewel convention, adherence to, violation of or non-compliance with it. That was the urgent matter, and not the fact that there was subsequently an eruption, whether pre-arranged or otherwise, in the Chamber. I do not blame the right hon. Gentleman for having a go—he would not be the versatile lawyer he is if he did not—but I am afraid that it does not work on this occasion. I rather think that the genial smile on his face suggests to me that he knows he was being a cheeky chappie. We will have to return to these matters subsequently—I hope at not such excessive length, but I will take the remaining points of order briefly.

Valerie Vaz: On a point of order, Mr Speaker. May I seek your advice on clarification about this misinformation that seems to be circulating that the Opposition did not want to take part in the debate on devolution yesterday and on the amendments? You will know, Mr Speaker, that the Opposition voted against the Government’s programme motion. Initially, we were allocated only 12 hours, but then under pressure, it was extended to two days. My hon. Friend the Member for Glasgow North East (Mr Sweeney) made this point yesterday through a point of order and was shouted down. My hon. Friend the Member for Darlington (Jenny Chapman) mentioned in the debate that the only voice that would be heard was the Deputy Prime Minister’s. Could we seek your clarification on the fact that the Opposition did want the extra time to debate the devolution amendments?

Mr Speaker: I am not sure that it is for me to interpret proceedings, and to attempt to place my own construction on motivation not publicly declared, but what I would...
say to the shadow Leader—I think I can say this without fear of contradiction, because it has the advantage of being true, and demonstrably true—is that the Opposition opposed the programme motion. That is a matter of unarguable, incontrovertible fact. There was a Division on the matter, and I was notified by the Opposition Chief Whip, the right hon. Member for Newcastle upon Tyne East (Mr Brown), courteously—he was not obliged to notify me, but he did notify me in advance—of an intention to oppose that motion, so it certainly should not be said that the motion was bought into by or was under the ownership of the Opposition. It was a Government programme motion.

I have tried throughout these difficult altercations of the last 24 hours to be scrupulously fair. As I said to Scottish National party Members last night in the presence of the Chancellor of the Duchy of Lancaster and Minister for the Cabinet Office, the Minister was not guilty of any procedural impropriety yesterday at all. He was entirely entitled to speak for the length of time that he did in setting out the Government’s position and indeed, characteristically, taking a very significant number of interventions, including from people who subsequently complained about the fact that they did not have the chance to speak. He was entirely in order and the Government were procedurally perfectly in order to operate as they did in the construction and submission to the vote of the programme motion. The Standing Order is written in that way presumably for a reason, and it has been written, in a sense, and approved with Government support. There was nothing disorderly about that, but it certainly was not the Opposition’s programme motion. It is abundantly clear to me that the Opposition were opposed to the programme motion. I do not think that I need to add anything more beyond that.

Mr Speaker: I must apologise to the right hon. Member for Derby South (Margaret Beckett), because she has an important point of order, which hails from her experience not just as the Member for Derby South, but as a former Leader of the House.

Margaret Beckett (Derby South) (Lab): On a point of order, Mr Speaker. Will you confirm that under the rules of order of this House, if the parliamentary leader of the SNP had had his way, not only the baby to whom you referred but every member of the public and indeed of the press would have been cleared from this House? Can you inform me, because I am not now sure about this, whether under present circumstances it would also have led to the cessation of the broadcasting of this House, which would have brought a great loss in public scrutiny?

Mr Speaker: I am very grateful to the hon. Gentleman for that. I simply say to him that I do not think I need to consult the Secretary of State for Scotland on this point. There is no possibility of a statement on that matter today, even if the Secretary of State were minded to volunteer it. That would interfere with our proceedings in a way that a lot of Members would regard as frankly unsatisfactory. In so far as the hon. Gentleman is seeking some guidance from the Chair, I would say that that would not be appropriate today. Tomorrow is another day. I simply point out, without wanting to venture further into this otherwise hazardous terrain, that even had an Standing Order No. 24 application been successful, the debate would not have been today—it would have been on a subsequent day. The debate would not have allowed any vote on any propositions appertaining to parts of the European Union (Withdrawal) Bill; it would simply have been a debate on a “take note” motion. There could be such a debate subsequent to today; tomorrow is another day and let us wait to see what happens.

Margaret Beckett: On a point of order, Mr Speaker. Will you confirm that under the rules of order of this House, if the parliamentary leader of the SNP had had his way, not only the baby to whom you referred but every member of the public and indeed of the press would have been cleared from this House? Can you inform me, because I am not now sure about this, whether under present circumstances it would also have led to the cessation of the broadcasting of this House, which would have brought a great loss in public scrutiny?

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Ian Murray: Further to that point of order, Mr Speaker. I am grateful to have caught your eye from such an unfamiliar place in the Chamber. We had lengthy points of order yesterday on what the shadow Leader of the House has just intimated, and we were looking forward to the Standing Order No. 24 application today, so that we could represent our constituents on major amendments relating to devolution and the European Union (Withdrawal) Bill. Given that we no longer have that Standing Order No. 24 opportunity because of the childish antics of certain Members of this House from the Scottish National party, I wonder whether, through you, I could ask the Secretary of State for Scotland, who is in his place, whether he would be willing to bring forward a statement in the House today, or first thing tomorrow morning, so that Scottish Members who are here, with their voice, to represent their constituents can make the points about the Sewel convention that were the basis of the Standing Order No. 24 application and so that the SNP cannot gag us as well as themselves on behalf of the people of Scotland.

Mr Speaker: I am very grateful to the hon. Gentleman for that. I simply say to him that I do not think I need to consult the Secretary of State for Scotland on this point. There is no possibility of a statement on that matter today, even if the Secretary of State were minded to volunteer it. That would interfere with our proceedings
House for the remainder of the parliamentary business? I believe they also give up pay for the day. They certainly cannot vote in any proceedings that happen in the day, so the implication of what the leader of the SNP parliamentary group did today, apart from pull a stunt, is that he made it easier for the Government Chief Whip to get his business through.

Mr Speaker: I hope the hon. Lady will understand when I say that all she needs to know, and all the House needs to know, is that the right hon. Member for Ross, Skye and Lochaber is out for the day. You cannot be half in and half out. You cannot come in and out.

Chris Bryant (Rhondda) (Lab) Not like the customs union.

Mr Speaker: We are not talking about the customs union. The fact is that the Member is out for the day. He cannot speak today and he cannot vote today. The position has now been made crystal clear.

Sir Patrick McLoughlin (Derbyshire Dales) (Con) rose—

Mr Speaker: The right hon. Gentleman is on his feet, so let us hear the fellow.

Sir Patrick McLoughlin: Further to that point of order, Mr Speaker. I just wondered whether you were aware of a piece of paper that came into my possession just before the start of today’s business. It listed points of order to be made on the European Union (Withdrawal) Bill, with eight of them written out. It even had words such as “outrage” and “disappointment” in three of them. I am happy to put this in the Library so that all Members can get hold of it.

Mr Speaker: I simply say to the right hon. Gentleman that there will have to be quite a lot of copies.

Mr Dennis Skinner (Bolsover) (Lab) rose—

Mr Speaker: Of course I take a point of order from Mr Dennis Skinner.

Mr Skinner: On a point of order, Mr Speaker. As a bit of an expert on being thrown out, may I just explain to you that there are various ways of throwing people out? Obviously, one is where everybody follows, but that has never happened in my case. Secondly, it has been possible for somebody to be sent by the Speaker’s Office to the room upstairs that I inhabited and for them to say to me, “On reflection, the Speaker said you can stay.” That is a different way. Another way is where people are sometimes barred from the House but not from the building. These variations have something to do with the Speaker at the time. So all I want you to explain to me is: just which one is this, because it is different?

Mr Speaker: I am always open to discussing these matters with the hon. Gentleman. I did not discuss this matter with him at 7.30 am, because, obviously, the eruption had not happened by then. However, as I toddled my way back from the health club this morning, we did discuss the question of last night’s points of order. He volunteered his opinions to me about that matter with his customary forthrightness, of which I was duly appreciative. He asks what type of exclusion today’s was. The answer is that the right hon. Member for Ross, Skye and Lochaber was excluded from the Chamber and from the precincts of the Palace of Westminster for the remainder of the day. I think that is now clear. If there are no further points of order, and I hope there are not, as we have a long way to go and many hours of Chamber debate to come, we will now come to the presentation of Bills.

BILLS PRESENTED

Employment Guarantee Bill
Presentation and First Reading (Standing Order No. 57)
Frank Field, supported by Sir Nicholas Soames, Jack Brereton, Margaret Beckett, Stephen Timms, Jeremy Lefroy, Sir Roger Gale, Kate Hoey, Ruth Smeeth, Sammy Wilson, Jim Shannon and Diana Johnson, presented a Bill to require the Secretary of State to guarantee paid employment for six months for claimants of Jobseeker’s Allowance, or the jobseeker’s component of Universal Credit, who have been unemployed for six months or longer; and for connected purposes.

Bill read the First time; to be read a Second time on Friday 6 July, and to be printed (Bill 224).

Mr Speaker: That is a very good day—the first Friday of Wimbledon.

Animal Welfare (Service Animals) Bill
Presentation and First Reading (Standing Order No. 57)
Sir Oliver Heald, supported by Sir Roger Gale, Sir Paul Beresford, David Hanson, John Spellar, Mr Ben Bradshaw, Neil Parish, Gareth Thomas, Maggie Throup, Mr Nigel Evans, Jim Fitzpatrick and Sir Mike Penning, presented a Bill to amend the Animal Welfare Act 2006 in relation to service animals.

Bill read the First time; to be read a Second time on Friday 15 June, and to be printed (Bill 225).
Packaging (Extended Producer Responsibility)

Motion for leave to bring in a Bill (Standing Order No. 23)

1.19 pm

Anna McMorrin (Cardiff North) (Lab): I beg to move,

That leave be given to bring in a Bill to require producers of packaging products to assume responsibility for the collection, transportation, recycling, disposal, treatment and recovery of those products; and for connected purposes.

In recent years, Members of Parliament have worked hard on this issue in an attempt to safeguard our wildlife and oceans for future generations. I pay tribute to their efforts, and I am grateful to colleagues from all parties for their support for the Bill. Packaging pollution first came to my attention more than 10 years ago, while I was working as an adviser to Ministers in the Welsh Government. Back then, the impact that packaging and plastic pollution were having on wildlife, natural resources and climate change was becoming increasingly evident. That is why in Wales we introduced the 5p charge on single-use carrier bags, which has resulted in a 71% reduction in their usage since 2011. That is a perfect example of the difference that can be made when a Government acts.

The UK Government followed Wales with a 5p charge in England four years later, but since then their commitment to addressing the overwhelming amount of single-use and non-recyclable packaging that we use every day can only be described as erratic at best. David Attenborough recently said:

“Wherever I go now, whether it be in the mountains, on the moors or on the coast there is discarded plastic everywhere. The government hasn’t a clue, by the time they act it will be too late.”

Only last week, tests carried out by Greenpeace found that even in the remotest parts of Antarctica there is microplastic contamination. Not only is it ruining one of the most pristine environments on the planet, but the tiny shards of plastic—often less than a twentieth of a millimetre wide—can be mistaken for prey by tiny marine animals. Those microplastics then make their way up the food chain, potentially inflicting harm on larger animals such as sea birds and whales, as well as getting into our food chain via shellfish.

My father spent two years in Antarctica with the British Antarctic Survey, from 1961 to 1963. I am really proud of the pioneering work that he carried out there—and even more proud that it was recognised by the naming of the McMorrin glacier after him. I remember from when I was growing up his many stories of life in that vast, beautiful, untouched landscape and of how the natural world shaped him. His passion for the environment and his determination to change things has stayed with me. It is unthinkable that our actions today are threatening those previously untouched landscapes, and many others just on our doorstep.

We have now reached a crisis point. In Cardiff, clean-up volunteers describe seeing on the banks of our rivers piles of takeaway cartons, broken-up polystyrene, and even a swan’s nest made of plastic bottles. The founder of the Cardiff rivers clean-up group said:

“There is a huge opportunity with people wanting to make a difference, the governments need to be a lot stronger, stop talking and just do it.”

A recent study by Eunomia suggests that UK Government figures drastically underestimate how much plastic packaging waste Britain generates. Its analysis suggests that it is a staggering 50% higher than projected. However, that is unsurprising considering that Eunomia also analysed the composition of UK waste and found that the system for calculating recycling rates is inclined to overestimate success. That is not ideal when we use those figures to make decisions and future projections.

In France, there is a proposed 50% penalty for packaging that is not easily separated and that is therefore considerably disruptive to the recycling stream, such as coffee cups and black plastic packaging, which is problematic. Instead of just introducing a higher penalty, the Government need to address a common complaint of producers, which is that the current system does not substantially reward, and therefore encourage, recyclability in product design. A solution could be to introduce bonuses for producers via a reduction in the levy that they pay. The bonuses could cover three categories, including reducing the packaging weight of their product, making it easier to recycle, and raising awareness by applying a clear and correct label to the product.

Why is the Bill so important? Because crucially, with extended producer responsibility currently not enshrined in law, the cost of recycling falls to councils, which are already struggling to pay for social care, education and community services, while also being asked to pick up the tab for recycling and waste management. Currently, businesses that handle packaging are required by law to pay for the recycling and recovery via compliance schemes, whereby the more packaging they produce, the more they pay. Between 2014 and 2016, the average revenue from that compliance was about £60 million a year, but the estimated cost of the delivery of recycling services across local authorities is nearly £600 million. So even if local authorities benefited from the full amount, it would still come to only 10% of the cost borne by local authorities. It is a cheap form of compliance for the producer, but one that means that others pay the cost of ensuring that products are properly recycled and disposed of at the end of their life cycle, which is absolutely necessary. Research shows that more than half of UK councils have had to cut budgets for collections and for communications and advertising for kerb-side plastics recycling.

The aim of the Bill is to encourage producers to take responsibility, not only for the product but for its disposal—to be responsible for the clean-up and not just contribute to it. It would encourage producers to innovate and change the packaging of their products and to contribute more to getting better recycling infrastructure for all councils within whose area their product is consumed.

Most importantly, this Bill is what the British public are calling out for. A recent study shows that almost all 16 to 75-year-olds in the UK are concerned about the effects of plastic waste on the environment, with 54% willing to buy more products made from recycled materials, but there is only so much that consumers can do if alternatives are not available. In my constituency of Cardiff North, students at Rhiwbeina Primary School have started the Kids Against Plastic #PACKETin
campaign. The children collect crisp and chocolate wrappers and post them back to the manufacturers with a letter asking them to switch to packaging that can be recycled. That is a positive campaign that gives our next generation a voice—but are the producers listening?

Some supermarkets are willing to play their part and listen to customers, but they cannot force independent producers to change their packaging. Manufacturers welcome the Bill because it would help innovation and drive growth. That is why I urge the UK Government to take heed, work with me on the Bill and respond to the growing number of voices becoming more and more frustrated by being unable to prevent packaging pollution. The BBC’s “Blue Planet” has had a massive impact on our psyche. Who can forget the image of the turtle wrapped in a plastic sack, or the photo of the stork wrapped in a plastic bag? If the UK Government do not use their power to legislate properly, such images are going to keep on coming. I commend the Bill to the House.

Question put and agreed to.

Ordered.

That Anna McMorrin, Mary Creagh, Zac Goldsmith, Ben Lake, Kerry McCarthy, John McNally, Dr Matthew Offord, Jo Platt, Liz Saville Roberts, Mr Barry Sheerman, Alex Sobel and Matt Western present the Bill.

Anna McMorrin accordingly presented the Bill.

Bill read the First time; to be read a Second time on Friday 26 October, and to be printed (Bill 226).

European Union (Withdrawal) Bill

Further consideration of Lords amendments

Mr Speaker: I remind the House that financial privilege is engaged by Lords amendment 3.

Clause 19

Commencement and short title

1.30 pm

Keir Starmer (Holborn and St Pancras) (Lab): I beg to move amendment (a) to Lords amendment 51.

Mr Speaker: With this it will be convenient to discuss the following:

Lords amendment 51, amendment (b) thereto, and Government motion to disagree.

Lords amendment 1, amendment (a) thereto, and Government motion to disagree and Government amendment (a) in lieu.

Lords amendment 2, amendment (a) thereto, and Government motion to disagree and Government amendment (b) in lieu.

Lords amendment 5, and Government motion to disagree.

Lords amendment 53, Government motion to disagree, and Government amendment (a) in lieu.

Lords amendment 4, and Government motion to disagree.

Lords amendment 3, motion to disagree, and amendments (c), (e) and (d) in lieu.

Lords amendment 24, Government motion to disagree, amendment (i) and Government amendment (ii) to Government amendment (a) in lieu, and Government amendments (a) and (b) in lieu.

Lords amendments 32, 6 to 9, 33 to 36, 38, 40 to 42, 159 to 161, 163, 164, 166 to 168 and 170.

Keir Starmer: I rise not only to move amendment (a) to Lords amendment 51, but to support the other Lords amendments that we are considering today. May I start by thanking the other House for its work? In particular, I wish to record our thanks to our Labour Lords team, led by Baroness Hayter and Baroness Smith, who have worked extremely hard to improve this Bill.

The amendments in this group this afternoon, as with yesterday, cover a number of crucial issues, such as enhanced protection for EU-derived rights, environmental safeguards and the charter of fundamental rights. In many respects, that should not be controversial, and I will return to those issues later on.

Let me start with Lords amendments 1 and 2. These amendments, if upheld here, would require a Minister to lay before both Houses of Parliament a statement outlining the steps taken in the article 50 negotiations to negotiate our continued participation in a customs union with the EU. I do not suppose that it is the making of a statement that the Government object to; it is the negotiation of a customs union with the EU. In fact, so
determined are the Government not to accept a customs union with the EU that they have gone to extraordinary lengths to dream up alternatives.

When the so-called partnership agreement and the so-called maximum facilitation options first saw the light of day last summer, nobody really took them seriously, not even the Brexit Secretary. Within two weeks, he was describing the customs partnership as blue-sky thinking. Thus, when the Prime Minister resurrected them in her Mansion House speech earlier this year, many of us, including myself, were genuinely surprised. Since then, it has become increasingly apparent that neither option is workable, that neither is acceptable to the EU and that neither will get majority support across this House. The Foreign Secretary calls the customs partnership “crazy”. The Business Secretary says that the maximum facilitation option would cost thousands of jobs in manufacturing. It is no wonder that a Cabinet peace summit is planned for July.

The proposal in Lords amendments 1 and 2 that the Government should seek to negotiate a customs union with the EU as part of the future arrangement is a sensible one for many reasons.

Mr Simon Clarke (Middlesbrough South and East Cleveland) (Con): Is the right hon. and learned Gentleman prepared to accept free movement as the cost of a customs union, or is he not?

Keir Starmer: I will come to that issue, but I am sure that the hon. Gentleman is aware that free movement has nothing to do with the customs union.

Mr Ben Bradshaw (Exeter) (Lab): Given the reports that we are hearing just now that No. 10 has rejected the agreement that was made yesterday with sensible Conservative MPs on the Grieve amendment, at least the third part of it, there is no guarantee now—absolutely none—that there will be a meaningful vote. Is it not absolutely essential that a loud voice goes out from this House today to say that we want the least damaging Brexit possible—in the customs union and in a single market?

Keir Starmer: I am grateful for that intervention. I have not seen the news that is just coming through. If that is the case, it is extremely concerning. A strong message needs to go out from this House about the proper role of Parliament in the article 50 process and one that argues for the best possible outcome in terms of a close economic relationship with the EU.

Anna Soubry (Broxtowe) (Con) rose—

Keir Starmer: I will give way—

Mr Edward Vaizey (Wantage) (Con): Give way!

Keir Starmer: I have already given way, so I cannot be accused of not giving way.

Anna Soubry: I thank the right hon. and learned Gentleman for giving way. We need to be very clear about this. Something may have happened, but I heard the Prime Minister saying very clearly from the Dispatch Box that an amendment would be forthcoming, that it would largely incorporate much of the amendment that my right hon. and learned Friend the Member for Beaconsfield (Mr Grieve) tabled yesterday, that discussions and negotiations are continuing, that that amendment will be tabled in the Lords in due course and that the job will be done on a meaningful vote involved for this House.

Keir Starmer: I am grateful for that intervention. I have not seen whatever news is coming out, but having observed the proceedings yesterday and the various interventions, it seems to me that what the right hon. and learned Member for Beaconsfield (Mr Grieve) was saying was very clear for us all to hear. He spoke about the specific paragraphs that were of huge importance, and we heard about what the proposed amendment in the Lords would contain. Obviously, we will have to wait and see what the wording is, but, from my point of view, as someone who was observing it, I thought that it was pretty clear what was being said from the Front Bench about what was likely to happen in the course of next week.

Frank Field (Birkenhead) (Lab): Will my right hon. and learned Friend give way on that very point?

Keir Starmer: I will, but I must say that I was not anticipating spending the whole afternoon on re-interpreting yesterday, but let us see how we get on.

Frank Field: Does my right hon. and learned Friend agree that, though it was fun yesterday, the truth is that, if this House wants a meaningful vote, there are ways and means by which we will have a meaningful vote irrespective of what the legislation says?

Keir Starmer: I could not help noticing yesterday that, as my hon. Friend the Member for Greenwich and Woolwich (Matthew Pennycook) was spelling that out, the Government’s position was that, should article 50 be voted down, they guarantee that they will make a statement within 28 days and that that was not particularly convincing—the Brexit Secretary himself found that to be a cause of some amusement. That is certainly not enough. What is needed is the opportunity for this House not only to vote on the article 50 deal, but to have an appropriate and proper role if the article 50 deal is voted down. I am afraid that we are rehearsing yesterday’s argument, but we on the Labour Benches voted for the amendment, which would have given not only a meaningful vote, but a proper role for Parliament afterwards to decide what happens next.

Mr Speaker: Order. The right hon. and learned Gentleman is completely innocent in this matter, but he has, almost unavoidably, been diverted from the path of virtue as a result of interventions. I simply want to remind not just him but the House that we are supposed to be focused on amendments that relate to the European economic area. What we must not do is have a replay of yesterday’s proceedings.

Mr Vaizey: Well said, Mr Speaker.
Mr Speaker: Well, that is very generous of the hon. Gentleman—

Mr Vaizey: It’s right hon. Gentleman.

Mr Speaker: Well, the right hon. Member for Wantage (Mr Vaizey). Well, my cup runneth over today. I am having moral support from sedentary positions both from the right hon. Gentleman and from the right hon. Member for Broxtowe (Anna Soubry) to boot. It is clearly my lucky day.

Keir Starmer: I will press on, make my case and take some further interventions later on.

I was saying that the proposal in Lords amendments 1 and 2 that the Government should seek to negotiate a customs union with the EU as part of the future arrangements is a sensible one for many reasons. The first is the economy. Over a number of decades, our manufacturing model has adapted to the arrangements that we currently have with the EU, including the customs union. Thus, typically, we see, across the UK, thousands of manufacturing businesses that operate on the basis of a vital supply chain in goods and parts from across the EU. The car industry is an obvious example, but not the only one.

Such businesses operate on the basis of a just-in-time approach. Whereas years ago there were stockpiles of parts and so on, these days there is a just-in-time approach. Parts come in and are assembled, and the finished product then goes quickly and seamlessly across the UK and/or out to the EU. That is the manufacturing model that this country has operated for many years, and MPs across the House know that that is what goes on in their constituencies.

Emma Reynolds (Wolverhampton North East) (Lab): The outgoing president of the CBI said today that manufacturing sectors, particularly the car industry, would be severely damaged if the UK did not stay in a customs union with the EU. Does my right hon. and learned Friend agree that those comments are very concerning?

Keir Starmer: One of the risks for Members taking interventions is that the very next point we are about to make is stolen, but my hon. Friend is absolutely right. I will just remind the House that the president of the CBI this morning said:

“If we do not have a customs union, there are sectors of manufacturing society in the UK which risk becoming extinct. Be in no doubt, that is the reality.”

This is at the heart of the debate. If we destroy the manufacturing model that I just described, we destroy a vital part of the economy and job losses will be considerable. That is why there are such high levels of concern across the business community about the Government’s current approach.

Charlie Elphicke (Dover) (Ind): The right hon. and learned Gentleman is being very generous in taking interventions. Will he just tell the House whether he believes that Britain should remain in the EEA—yes or no?

Keir Starmer: For the benefit of the House, I am going to go through the customs union argument before moving on to discuss the EEA and the single market, and then I have other remarks to make. If the hon. Gentleman will forgive me, I will deal with his point when I deal with the EEA. I am currently dealing with the customs union.

Sir Edward Leigh (Gainsborough) (Con): Is Labour in favour of staying in the customs union, or a customs union that approximates to a customs arrangement that would allow us to make free trade deals with states other than the EU—the customs union, or a customs arrangement?

Keir Starmer: The current customs arrangements are in the membership treaty. Therefore, if they are to be replicated and if there is to be a customs union that does the work of the current customs union, there needs to be a new treaty. That is why we are in favour of a customs union, but a customs union that does the work of the customs union that we are currently in. Although this was a point of great heat and discussion weeks and months ago, I think most people now understand that there will have to be a new agreement that replicates and does the work of the current customs union.

Several hon. Members rose—

Keir Starmer: I am going to make some progress; I have taken a lot of interventions and I will take others later.

The concern about the customs union is not confined to the business community. It inevitably extends to trade unions, on behalf of those they represent; those who depend on the manufacturing sector; and those who work in and operate our ports and places of entry and exit. I have visited Dover to look at the operation there and to talk through with management and staff the impact of any change to the current customs arrangements. I have also visited Holyhead, the second biggest port, where there are high levels of concern.

Kevin Hollinrake (Thirsk and Malton) (Con): I know that the right hon. and learned Gentleman wants to separate out the customs union from the single market, but we cannot separate those two things if we are talking about frictionless trade and just-in-time deliveries. Checks would be required not just for customs and rules of origin, but for product regulations and conformity with standards. Further to the question from my hon. Friend the Member for Middlesbrough South and East Cleveland (Mr Clarke), is the right hon. and learned Gentleman therefore willing to accept free movement of people as the price of access to the single market?

Keir Starmer: I assure the hon. Gentleman that I will discuss the single market and the EEA, and I will deal with his question then. At the moment, I am making a case on the customs union, although I accept the proposition that the customs union on its own does not produce frictionless trade, and nor does it answer the question, “How would you prevent a hard border in Northern Ireland?” I will specifically deal with this matter later in my speech, and I will take further interventions then.

Mrs Madeleine Moon (Bridgend) (Lab): Is my right hon. and learned Friend aware that the Dutch Government and the European Commission have begun to advise
businesses not to take car parts produced in the UK for export because of concerns about rules of origin. Will today’s proposals address that?

Keir Starmer: I had heard that. It is not an isolated example; there are others. This is deeply troubling, which is why the amendments before the House today are so important.

Stephen Timms (East Ham) (Lab): My right hon. and learned Friend has already reminded the House that the Cabinet has not made up its mind on what sort of customs arrangement it wants. Is it his understanding, as it is mine, that the maximum facilitation option would entail infrastructure on the border in Northern Ireland, so it would get us back to the hard border that everyone says we want to avoid?

1.45 pm

Keir Starmer: The main problem with maximum facilitation is that it involves technology yet to be invented and certainly yet to be made to operate. Nobody knows quite what it is, whether it can be developed and delivered, and if so, when. On the Northern Ireland border—although I will speak about Northern Ireland later—the commitment is to no infrastructure, no checks and no controls. I will come to that point specifically when I deal with Northern Ireland.

Rushanara Ali (Bethnal Green and Bow) (Lab): My right hon. and learned Friend will be aware that the permanent secretary of Her Majesty’s Revenue and Customs indicated that the implementation costs of maximum facilitation would be £17 billion to £20 billion a year. This information was shared across Whitehall, so Ministers are well aware that it would be damaging to our economy.

Keir Starmer: Yes, I did see that figure. It is deeply concerning that those sorts of costs are even contemplated for that option in relation to technology that has not been developed or, in many respects, even invented. That is why there is such a bitter dispute going on in the Cabinet.

Mr John Baron (Basildon and Billericay) (Con): Will the right hon. and learned Gentleman give way?

Keir Starmer: I am going to press on, if the hon. Gentleman does not mind. I will take other interventions later.

I realise that all sorts of fanciful promises about new customs arrangements were made during the referendum and have been made since, but we have a duty to protect our economy, jobs and the manufacturing sector across the UK. That is at the heart of today’s debate. The only way to uphold that duty is to negotiate a customs union with the EU.

There is, of course, another important aspect. In December last year, our Government made a solemn promise in the phase 1 agreement: no hard border in Northern Ireland. And that was spelt out—no promise in the phase 1 agreement: no hard border. December last year, our Government made a solemn promise to the EU.

The way to uphold that duty is to negotiate a customs union. That is at the heart of today’s debate. The only amendment; after the political commitment in December to no hard border, no infrastructure, no checks and no controls, we now have a binding law to that effect. This goes to the issue of maximum facilitation, because if maximum facilitation does involve infrastructure, checks or controls, it would be unlawful under the provision passed yesterday. Therefore, it cannot happen.

Heidi Allen (South Cambridgeshire) (Con): The right hon. and learned Gentleman is right. We did not get to debate that amendment because we ran out of time yesterday, but it is huge. It means that, logically, we will have to come to a customs union agreement, partnership—[Interruption]—I’ll do that. I do not care what we call it, but that is what we will need to avoid any border at all in Northern Ireland. It is great progress.

Keir Starmer: It is a significant amendment, and it was also a significant amendment in the Lords. Even as amended—taking it back to being closer to the wording of the phase 1 agreement—the amendment is still a very significant measure.

Mr Dominic Grieve (Beaconsfield) (Con): It also goes further than that, does it not? Not only will we have to stay in a form of customs arrangement amounting to a union, but we will also have to have a high level of regulatory alignment. Otherwise, the life that takes place along the border will be impossible because of different regulations on either side.

Keir Starmer: I agree, and I will develop that argument, because a customs union alone will not solve the conundrum of how to keep to the solemn commitment to having no hard border in Northern Ireland.

Mr Kenneth Clarke (Rushcliffe) (Con): I will not repeat what my hon. Friend the Member for South Cambridgeshire (Heidi Allen) and my right hon. and learned Friend the Member for Beaconsfield (Mr Grieve) have said, because I was about to make the same point. It was the most significant thing that happened yesterday, but given the circus that surrounded everything and the timetable that stopped us debating it, nobody so far has taken any notice. However, it does bear on today’s debate, because yesterday’s legally binding commitment extends the needs of the Irish border to the whole United Kingdom. We are talking about Dover—and we settled that yesterday—and we are not having a border down the Irish sea. The United Kingdom has therefore got to negotiate an arrangement with the EU as a whole that has no new frontier barriers. Effectively, we are going to reproduce the customs union and the single market, and the Government will be unable to comply with yesterday’s legal obligation unless it does so.

Keir Starmer: I am grateful for that intervention. When the phase 1 agreement was reached in December, I thought that commitment was the most significant thing that had happened since the referendum, with regard to indicating what our future relationship with the EU would be. I think that it is clear to everyone who has considered this and visited Northern Ireland to talk...
it through that the only answer to having no hard border, in the end, is a customs union and high-level single market alignment, and that is why yesterday was so significant. The fact that that was accepted by the Government and turned into domestic law gives it a status that it did not have until yesterday, because previously it was a political agreement at international level. I am not suggesting for one moment that it was not solemnly entered into by the Government, or indeed that they would resile from it as a matter of international negotiation, but it will now become a matter of domestic law. It is probably the most significant thing that happened yesterday.

Mr Baron: May I just remind the right hon. and learned Gentleman that the vast majority of people, not only at the referendum but at the general election—85% of those who voted—voted to leave the customs union and the single market? It was a very clear result. Let me ask him this one straightforward question, for clarity; in their search for a customs union, are the Opposition willing to sacrifice our ability to negotiate trade deals outside the EU in order the achieve the customs union with the EU?

Keir Starmer: We all want new trade deals. At the moment we have got an excellent trade deal with the EU, and we have 37 additional agreements with 67 countries through our membership of the EU. The first thing we need to do is preserve that. Lots has been said about new trade agreements and how they will be fast and how we will get much better terms than would be offered to any other country in the world. In fact, we are told that they will be queuing up to give us preferential treatment, and quickly. I think the Brexit Secretary said that by March next year we will have had trade deals with countries in an area that is geographically 10 times larger than the EU. Well, he has only a few months left to pull that one off. The Opposition consider that if new trade deals are struck together and jointly with the EU, we have a better chance of getting quicker and better trade deals.

Karin Smyth (Bristol South) (Lab): On Monday I was in Ireland with the British-Irish Parliamentary Assembly, and I think that what happened yesterday will be welcomed across the island. I remind the House that many things that happened in Northern Ireland over the past 40 years did not necessarily arise because of a border; they arose because of civil rights discussions across the island. The House must be mindful that, as we go forward in these discussions, we need to be careful when talking about our relationships across the island, both north and south, and within the United Kingdom.

Keir Starmer: This is a matter that I know every Member across the House is really concerned about. The commitment to having no hard border in Northern Ireland, which was set out in the Good Friday agreement, was not just a question of how technically one might get people or goods across a line in the road between the Republic and the north, and nor is it as we go forward; it is a manifestation of peace. I had the privilege of working for the Policing Board in Northern Ireland for five years, implementing some of the Good Friday agreement. Having talked to both communities consistently over those five years, I know that this is deep in the hearts of everybody there. This is more than a technical issue; it goes to the heart of what was achieved 20 years ago. We must always bear that in mind.

Owen Smith (Pontypridd) (Lab): My right hon. and learned Friend speaks truthfully and eloquently about preserving peace in Northern Ireland, and of the centrality of the border to that. He also says that in order to achieve that we must effectively be in a single market and a customs union. Does he accept that one of the concrete ways we might deliver that is to be in the customs union and the European economic area, which is entirely possible, as Michel Barnier pointed out yesterday?

Keir Starmer: I assure my hon. Friend that I will come to the EEA later and take interventions on it, but first I want to deal with the customs union.

Lady Hermon (North Down) (Ind): I am grateful to the right hon. and learned Gentleman for allowing me to intervene. He referred, quite rightly, to his service to the people of Northern Ireland through the Policing Board in earlier years. I am aware that he visited Northern Ireland recently and met the present chief constable of the Police Service of Northern Ireland. He will therefore be aware that the chief constable has recently withdrawn from sale three unused border police stations and asked for funding for an additional 400 police officers to deal with the border arrangements after Brexit. Can he throw some light on why on earth the chief constable would do that if we are not going to have a hard border?

Keir Starmer: I did go to Northern Ireland recently and I did have a meeting with the chief constable, who I know in any event. We spoke in confidence, and I will not break that confidence, but the facts about staff, posts and buildings, as the hon. Lady has just laid out, are right. Although having no hard border was a political commitment made in December, and it is now a legal commitment, there is a concern that that should be delivered. That is not a concern solely of the Police Service of Northern Ireland; it is a concern across the piece.

Several hon. Members rose—

Keir Starmer: I will take two more interventions, from the hon. Member for East Worthing and Shoreham (Tim Loughton) and my hon. Friend the Member for Slough (Mr Dhesi), but then I really must press on—I keep saying that, and I must do it.

Tim Loughton (East Worthing and Shoreham) (Con): May I just bring the right hon. and learned Gentleman back to the question from my hon. Friend the Member for Basildon and Billericay (Mr Baron)? My understanding from his answer, as it tailed off, is that he is only in favour of trade deals severally and jointly with the European Union. Is he not aware that currently the EU has trade deals in operation with under 10% of the world’s economies? Is he saying that under Labour’s vision we would be unable to secure trade deals with the other 90%? Does his vision also include the fact that at the moment four fifths of the tariffs collected under the customs union are paid to Brussels? Does he want to see that sort of arrangement continue under his vision?

Keir Starmer: The EU has trade deals with 67 countries through 37 agreements. It has a further 49 agreements with developing countries. There are 200 countries in
the world. 28 in the EU, and 67 are already in extra agreements with the EU, and there are 49 in the developing country agreements. That is a considerable number of countries in the world.

2 pm

Mr Tanmanjeet Singh Dhesi (Slough) (Lab): Does my right hon. and learned Friend agree that the crux of today’s debate is whether we want a close working relationship with our neighbour and social, cultural and economic partner, the European Union? Ultimately, that is why so many of us—including the business community, trade unions and many Opposition Members—want a customs union.

Keir Starmer: I am grateful to my hon. Friend for his comments, and I agree.

Several hon. Members rose—

Keir Starmer: I just want to finish this point—

[Interruption.] I do not think that anybody could accuse me of not having taken interventions. I need to move on.

Mr Speaker: Order. I am extremely grateful to the right hon. and learned Gentleman. There was a less than wholly polite chunter from a sedentary position. I warn the hon. Member for Wyre Forest (Mark Garnier) that I might need to have a word with family members of his who live in my constituency, who would expect him to behave in a seemly manner. I simply say to the shadow Brexit Secretary that I am listening to his disquisition with great interest, and will do so, but I know he will be sensitive to the fact that although we have six hours for debate, there is a very large number of Members wishing to contribute.

Keir Starmer: I am grateful for that, Mr Speaker.

To finish my point about Northern Ireland, I think that the conclusion of the vast majority of people who have considered this in great depth and with concern is that there is no way of delivering on the solemn promise that there should be no hard border in Northern Ireland unless the UK is in a customs union with the EU and there is a high level of single market alignment. The so-called backstop argument that has been going on in recent weeks is testament to that, because the Government are trying to find a post-implementation period phase when in truth we will be in a customs union and in high-level regulatory alignment with the single market. For our economy, and to enable us to keep our solemn commitments on Northern Ireland, I urge hon. and right hon. Members to vote to uphold Lords amendments 1 and 2.

I now turn to the EEA and amendment (a) to Lords amendment 51, which is in my name and those of other shadow Front Benchers. I understand why their lordships have become so concerned about the state of negotiations that they want an amendment to cover the single market. The Prime Minister’s red lines of October 2016 were a profound mistake. If we are to keep to our duty of protecting our economy, including the manufacturing sector and the services sector, and our solemn promise in relation to Northern Ireland, we need a customs union with the EU, and we also need a strong single market deal based on shared regulations and institutions.

Gareth Snell (Stoke-on-Trent Central) (Lab/Co-op): Can my right hon. and learned Friend explain the tangible difference between us being in a customs union with full access to the single market and our being members of the EU, other than the fact that we will not be electing Members of the European Parliament?

Keir Starmer: Obviously, politically, we will not be in any of the institutions, and we will not be a member of the EU. We are dealing with the question of whether we should have a close economic relationship with the EU, which everybody recognises is a critical issue, and working through the best configuration for that. I do not think that the mere fact that there has been a vote to leave the EU can be interpreted as the wish of anybody who voted to make our economic relationship with the EU any worse. I do not think that anybody was voting to harm the ability of businesses in this country to do business.

Several hon. Members rose—

Keir Starmer: I am going to press on and then I will give way again.

The EEA has a number of real benefits with regard to shared regulations and shared institutions, but it also presents real challenges. I have taken this option very seriously. I went to Norway to discuss it with that country’s political leaders, trade unions and businesses, and I also visited an EEA border—the Norway-Sweden border—to see what it was like.

The EEA undoubtedly works well for Norway, Iceland and Liechtenstein, but their economies are very different from ours, as is their size—Norway has 5 million people, Iceland has 300,000 and Liechtenstein has 37,000. Those countries chose not to be in a customs union with the EU. The European Free Trade Association is, after all, a free trade association, and those countries have struck trade deals in their own right as a group. I am sure that those trade deals work well for them, but I think that the 37 trade deals that the EU has struck work better for the UK than the EFTA trade deals would.

Mark Garnier (Wyre Forest) (Con): Will the right hon. and learned Gentleman give way?

Keir Starmer: I will just complete this point.

The EEA excludes agriculture and fisheries, which presents a problem in relation to the solemn commitment to no hard border in Northern Ireland. When I went to the border between Sweden and Norway, there was infrastructure, checks and controls—not for people, but for goods. The EEA also provides very little flexibility on the four freedoms, including freedom of movement and the way in which single market rules are implemented. Some say that those challenges can be overcome. I will continue to listen to those arguments, because there is no doubt that, in addition to a customs union with the EU, we need a strong single market deal, but I do not think we can ignore those challenges.

Angela Smith (Penistone and Stocksbridge) (Lab): Despite their small populations, Iceland and Norway represent the two biggest catch sectors in Europe’s fishing industry. If the exclusion of the common fisheries policy is so bad in terms of UK membership, how on earth is it that Iceland and Norway, which depend heavily on fishing, are still in the EEA and benefit from it?
Keir Starmer: I am obviously not making my point in the right way. If the question we are trying to answer is how we ensure there is no hard border in Northern Ireland, it is very difficult to see how we can answer that by adopting the EEA model as it is, because agriculture is outside of the agreement that Norway, Iceland and Liechtenstein have struck. That is the point I was trying to make.

Mr Jonathan Djanogly (Huntingdon) (Con): It seems to me that the right hon. and learned Gentleman is, in effect, making the same argument on this issue as the Government, which is that we want to negotiate a free trade deal without the bureaucracy or the regulations—in other words, to have the best of the EU and the single market but without the downside. That is a very valid position to take, but can he confirm that he is in concurrence with the Government’s position on that?

Keir Starmer: No, our position is not the same as the Government’s at all. I recognise that we need a strong single market model. All I am saying is that I think there are challenges in the EEA model, which is not the only model, and that we would be better off with a model that does not tie us to a particular deal that another country has done. However, and this is why our amendment is important, that model should ensure full access to the single market and no new impediments to trade, with common rights, standards and protections as a minimum, underpinned by shared institutions and regulations. That is a long way from the Government’s position because they are not prepared to sign up to those commitments. The frustration in the negotiations is that nobody yet knows, because the Cabinet is still divided, whether the Government really want to negotiate something that is close economically to the EU, which will require shared regulations and institutions, or if they want to negotiate something else altogether.

Frank Field: I hope that all of us who support Brexit wish the UK to have access to the single market on the terms we have now, with the conditions about regulation that will follow from that. A key part of the campaign was that we should have control of our borders and not be subjected to foreign courts. Does my right hon. and learned Friend accept that we might have to pay for the privilege of gaining free access to the single market but controlling our borders?

Keir Starmer: I accept that freedom of access was bound up with the referendum, and that is why every time I have stood at this Dispatch Box, I have said that we accept that freedom of movement will end when we leave the EU. The question is: what comes next, what does it look like and how do we negotiate it with the EU? That does not make things easy, but I think the Government’s approach, which was to abandon any argument for the customs union or the single market at the outset for fear of having that discussion with the EU, was wrong in principle.

Caroline Flint (Don Valley) (Lab): I absolutely agree with my right hon. and learned Friend that, when we leave the European Union, freedom of movement should end, and this is about what comes next. Does he agree that the EEA Norway-Liechtenstein-Iceland model does not allow us to have control over how freedom of movement will change and ties us in to “no say”? Norway, Liechtenstein and Iceland have signed up to having no say over freedom of movement.

Keir Starmer: I have looked very carefully at the provisions in the EEA agreement, and there has been a lot of discussion about articles 112 and 113 in particular. I have to say that my reading of those articles is that they are what are called “in extremis” provisions, which actually do allow some flexibility on all obligations under the EEA agreement, but only in extreme circumstances and for a short period. The argument that others have put to me is that there is a different interpretation, but we are still discussing that matter.

Wayne David (Caerphilly) (Lab): Does my right hon. and learned Friend agree that the EEA would become a viable option only if Britain were able to negotiate fundamental changes to the EEA agreement, which would be a huge challenge for the United Kingdom?

Keir Starmer: In fairness to those who advocate joining the EEA, there is a recognition that the EEA agreement, unamended, would not be the right deal for the UK, but the argument is that it could be amended.

Several hon. Members rose—

Keir Starmer: I am going to press on because I have used up far too much time.

Our amendment (a) puts forward a strong single market proposition—[ Interruption. ]

Mr Speaker: Order. I say very courteously to the hon. Member for Chelmsford (Vicky Ford) that we cannot have an intervention by what I would call “proffered chunter” from a sedentary position. If the right hon. and learned Member who has the Floor wishes to give way, it is open to him to do so. [ Interruption. ] Order. The blame game taking place between the right hon. Member for Wantage (Mr Vaizey) and the hon. Member for Wyre Forest (Mark Garnier) about who else chuntered, with each pointing at the other, is not altogether seemly.

Keir Starmer: I am going to press on because I have taken lots of interventions and engaged with them. I have been on my feet for nearly 45 minutes, which is not fair to colleagues on both sides of the House who want to speak.

Our amendment is a strong single market proposition. It sets out the kind of new relationship we want to achieve with the EU—a close economic relationship, with full access, while ensuring there is no lowering of common standards and protection, and recognising that shared institutions are required to achieve that. It is a million miles away from the Government’s position on the single market. It does not set a narrow route; it sets the parameters of the new single market relationship we want to achieve, and it leaves options open to achieve that. I urge all Members on both sides of the House to support it.
Let me turn to the question of human rights and other protections. Lords amendment 4 sets out enhanced protections for employment, equality, health and safety, consumer standards, and environmental rights and standards. The argument is very simple; it was very simple at the start and it is very simple now. At the moment, these rights have enhanced status because we are members of the EU. They are being converted into our law—the Government said they would convert them and they are converting them; I will come on to the charter of fundamental rights in a minute—but not with any enhanced protection. All the amendment says is that if those rights and protections are to be changed, that should be done by primary legislation.

The amendment is not contentious, and it does not even say that the Government cannot change those rights. It just says that if they believe in these rights and think they should have enhanced protection, they should for heaven’s sake put them into a form that means that if they want to change them, they have to use primary legislation to do so. The only reason I can think of for resisting that is that somebody thinks it might be a good idea to chip away at these rights without doing so through primary legislation.

The Solicitor General (Robert Buckland) indicated dissent.

Keir Starmer: The Solicitor General shakes his head. If that is not the case, he should accept Lords amendment 4 and get on with it. This is the same argument we have been making since the Bill started its life back in September 2017.

There is good reason to be concerned. I know these are old examples, but they are real ones. The Foreign Secretary has complained of “back-breaking” EU workers’ rights, and the Secretary of State for Environment, Food and Rural Affairs has claimed that the Government should “have the potential to...if necessary rescind” employment protections after Brexit. Such examples give Opposition Members, trade unions and working people across the country huge cause for concern that, in the absence of enhanced protection, these rights will be vulnerable.

2.15 pm

Mr Grieve: The right hon. and learned Gentleman is making a very powerful case. I can tell him that Government Members should also be concerned about this matter. I am sure he agrees that it is perfectly possible to carry out Brexit—without incorporating the charter of fundamental rights, which I know is a subject of difficulty—while at the same time securing these rights through this perfectly sensible amendment.

Keir Starmer: I am grateful for that intervention. I would have thought that this is not controversial. The Prime Minister said that she did not want to reduce these rights, and we take her at her word, but if the Government convert them into a form in which they lose their protection, they make them vulnerable. I would have thought that any Government who want to change these rights would have the decency to do that through primary legislation so that this House can carry out the proper scrutiny process. It is very straightforward.

I now turn the charter of fundamental rights. Through the Bill, thousands of EU provisions are being converted into our law—only one is not being converted. All the others can be converted, changed, modified or brought into our law in some shape or form, but the charter apparently cannot be converted, and that is wrong in principle.

Mary Creagh (Wakefield) (Lab): I am very interested in my right hon. and learned Friend’s point, particularly in relation to the charter of fundamental rights. Does he agree that amendment (c) in lieu of Lords amendment 3—it talks about environmental principles, and potentially rights, being put into primary legislation—may leave us in the anomalous position of having more environmental rights after Brexit than social and civic rights? Is that not a disgrace?

Keir Starmer: I am grateful to my hon. Friend for that intervention. She makes the case very well and powerfully. As far as the charter is concerned—

Kevin Hollinrake: Will the right hon. and learned Gentleman give way?

Keir Starmer: I will make this point about the charter and then I will give way.

The charter has enabled the evolution of important rights, adding significantly to the fields of equality and non-discrimination, especially lesbian, gay, bisexual and transgender rights, and the rights of children, workers and the elderly. As Liberty, Amnesty International and the Equality and Human Rights Commission have argued, excluding the charter from the Bill “will lead to a significant weakening of the current system of human rights protection in the UK”.

Human rights develop over time. This country and the House have played long and distinguished roles in that development. Brexit should not be used to end that tradition or to reduce our human rights protection in the UK. We therefore call on right hon. and hon. Members across the House to vote for Lords amendments 4 and 11.

I shall now come on, briefly, to the environmental provisions. Lords amendment 3 seeks to maintain environmental principles and standards as we leave the EU. The amendment has our full support. The EU’s environmental principles are hard-wired into the treaties, and they underpin all its environmental policies and laws, which are then enforced by EU institutions and agencies. These environmental principles and the enforcement mechanisms that uphold them must be retained and replaced if Brexit is not to weaken protection for our natural environment.

I know that amendment (c) in lieu, tabled by the right hon. Member for West Dorset (Sir Oliver Letwin), is designed to address some of those concerns. If it is supported by the Government—I assume it will be—it will introduce some helpful developments in the Government’s policy, including proposals to enable the
watchdog to initiate legal proceedings. However, it does not go far enough, so we urge Members to support Lords amendment 3.

Mary Creagh: Does my right hon. and learned Friend agree with me that the amendment, as it stands, asks the Government not to act in accordance with the duty on them, but only to have regard to it, which is a much less stringent legal test? Does he also agree that while it creates the ability to initiate legal action, it does not provide a legal remedy or access to justice for UK citizens?

Keir Starmer: I agree with my hon. Friend, which is why I am saying it is a step in the right direction, but it is not enough on its own and more is needed.

I turn finally to the question of refugee family reunion. I am pleased that Lords amendment 24 is before us, and I pay tribute to Lord Dubs for his tireless campaign on this issue. Labour supports Lords amendment 24, which is long overdue. We recognise that some concern has been raised about the scope of family reunion that qualifies under the Government’s clause, and I would welcome any clarification from the Minister on that issue. However, in general, Labour will support the amendment.

In conclusion, the Lords amendments address crucial issues. Along with Labour’s single market amendment, they would be a huge step forward in improving the Bill and protecting jobs and rights. I hope that right hon. and hon. Members will support them today.

The Solicitor General: It is a pleasure to rise in this debate to set out the Government’s stance on these important amendments. The right hon. and learned Member for Holborn and St Pancras (Keir Starmer) was properly concerned about the effluxion of time. I share that concern; there is a lot to go over, and I will do my very best to cover all the amendments before us and, of course, to take interventions, as I always strive to do.

May I first echo the opening remarks made yesterday by my right hon. Friend the Secretary of State, who talked about the important role of the other place as a revising Chamber? There is no doubt that in some instances the other place has made some constructive improvements to the Bill, which the Government have every reason to support. However, on other matters, which were debated at length and agreed to by this elected House, the other place chose to ignore decisions that were taken here. Instead, we have a set of amendments that, I am afraid, are not properly thought through and would have a negative impact on our plan for a smooth and orderly exit.

We heard from the right hon. and learned Member for Holborn and St Pancras that the Opposition do not accept Lords amendment 51, which seeks to make the necessary and including on international tribunals. Membership of the EEA does not require any direct effect of that law in this country, so I fail to see how, on that point, the Government can be right. It is perfectly plain that we can be a member of the EEA without any direct effect from the European Court of Justice.

Mr Grieve: May I just pick my hon. and learned Friend up on his point about law? We are signed up to thousands of treaties in international law that bind us, and including on international tribunals. Membership of the EEA does not require any direct effect of that law in this country, so I fail to see how, on that point, the Government can be right. It is perfectly plain that we can be a member of the EEA without any direct effect from the European Court of Justice.

The Solicitor General: I am sorry, but with respect to my right hon. and learned Friend, I do not agree. He knows that the EEA is a creation that came after what were the European Communities. As I will go on to explain, we have significant concerns about what will happen not just to the EEA as it stands now, but with the inevitable development of EU rules, which will mean that we have little say. The issue of being law takers rather than lawmakers is particularly important to me.

Mr Grieve: Will the Solicitor General give way?

The Solicitor General: No, I will not give way.

I made that point during the long debates in the referendum campaign. As a dedicated and fervent remainder, I said that when we leave the EU, it means we leave the whole shebang—there is no cherry-picking when it comes to not only the attitude of the UK but, importantly, the position of our negotiating partners.

John Redwood (Wokingham) (Con): I entirely agree with the Solicitor General. Does he agree that a customs partnership—a customs union—is a non-negotiable nonsense that the EU thinks comes with all four freedoms? Will he further confirm that we have many fine industrial companies in this country, with complex supply chains operating just in time, importing components from non-EU countries?

The Solicitor General: My right hon. Friend is absolutely correct to draw our attention to the wider world and the reality of trade in the United Kingdom. I absolutely understand the point about just-in-time supply, representing, as I proudly do, large motor manufacturing companies in Swindon. I get the point, which is why the Government’s policy to seek trade that is as frictionless as possible has been at the very heart of everything we have set out to do right from the beginning of the negotiations.

Andrew Percy (Brigg and Goole) (Con): Representing a constituency that voted by a margin of almost seven to three to leave the EU, I am getting a little tired of hearing people who lost the referendum try to write the terms of our exit. To be totally clear on this, the Solicitor General is absolutely right that it was not just the issue of free movement that was of concern to my constituents and others in the north of England who voted in huge numbers to leave the European Union. There was also the issue of parliamentary sovereignty—
being in control of our own laws. Therefore, I am afraid that being a rule taker has to be 100% out of the question on our exit.

The Solicitor General: My hon. Friend makes a powerful point about democracy. One of the complaints that was constantly levelled against our membership of the EU was the lack of democracy, and I am pretty sure that if we end up in the position of a rule taker, those arguments will only grow louder and longer.

Liz Kendall (Leicester West) (Lab): Is it not the case that if we are no longer a member of the single market and we want full access to the single market, we will have to be a rule taker?

The Solicitor General: Therein lies the problem with amendment (a) to Lords amendment 51, tabled by the Labour Front Benchers. What precisely does that amendment mean? Everybody should ponder that question, because I do not think that even they can answer it. The truth is that we are back to the old chestnut of access to the single market, and that in truth means subjection to the four freedoms.

Vicky Ford (Chelmsford) (Con): During my time chairing the Internal Market Committee in the European Parliament, there were many occasions when Norwegian officials came to ask me to lay amendments to legislation on their behalf, particularly in areas such as offshore oil and gas and financial services. There were other sectors where their interests and our interests were more closely aligned with those of Europe, and alignment made sense. Does my hon. and learned Friend agree that the Government’s position of continuing close alignment on issues such as medicines, chemicals and aviation makes complete sense, but that having regulatory co-operation and dialogue in other areas also makes sense?

The Solicitor General: My hon. Friend speaks with considerable experience from her time in the European Parliament. I agree with the approach that she urges; that is, of course, the Government’s approach, and it is understood not just here but, importantly, by those with whom we negotiate. It is vital in these debates for us never to forget that we have to put ourselves in the shoes of our negotiating partners and to understand what they will accept, before we become too carried away with positions that quite frankly—I say this with respect to Members on the Labour Front Bench, and particularly to the right hon. and learned Member for Holborn and St Pancras—just cannot be sustained.

Dr Sarah Wollaston (Totnes) (Con): I thank my hon. and learned Friend for giving way. Does he accept that disrupting complex supply chains in the motor industry can lead to economic disaster, but when we disrupt complex supply chains in medicines, I am afraid it means that people will turn up at their pharmacy and the drug they need might not be available on the shelves? The public will never forgive us for that. I am really sick and tired of hearing some colleagues say that those who “lost” the referendum have no right to have any say in the type of Brexit we have.

The Solicitor General: As my hon. Friend knows, I was one of the 48%, and I do not forget that. That means that I do listen to the voices of concern about the supply of important goods and life-saving medicines. That is the Government’s position. That is why we are striving to make sure that we achieve trade that is as frictionless as possible.

Several hon. Members rose—

The Solicitor General: I will give way in a moment, but I need to develop—[Interruption.] Ah, the hon. Member for Perth and North Perthshire (Pete Wishart) is back! Shall I give way?

Hon. Members: No!

The Solicitor General: Oh, go on.

Pete Wishart (Perth and North Perthshire) (SNP): I have to say, I have never been given quite such a greeting for an intervention, but I am very grateful to the Solicitor General for giving way. Will he confirm that this is all about immigration? Immigration is the cold beating heart of his Brexit. What is he going to do about nations such as Scotland, which require immigration to keep our economies competitive?

2.30 pm

The Solicitor General: Welcome back. The hon. Gentleman clearly does not know me very well when he describes the Brexit that I and many other colleagues want to achieve as some sort of cold Brexit. We want to achieve the openness and willingness to trade that embodies the spirit of what it is to be British. That includes immigration that we can truly control in a way that the British people will accept. Frankly, although it is nice to see him back, I do not think I will be taking any more interventions from him.

Hilary Benn (Leeds Central) (Lab) rose—

The Solicitor General: I will, however, taken an intervention from the right hon. Gentleman.

Hilary Benn: I am very grateful to the hon. and learned Gentleman. Since one of the Government’s objectives is to maintain membership of the European Medicines Agency, to which the hon. Member for Totnes (Dr Wollaston) referred a moment ago, will he confirm that that will require the United Kingdom to abide by the rules of its operation and to accept judgments of the European Court in respect of its operation? If that is the case, has he not just confirmed that we are in fact going to be a rule taker?

The Solicitor General: The right hon. Gentleman, as ever, makes a pertinent point. [Interruption.] Well, I am being polite to the right hon. Gentleman, because I think that is what he deserves. I say to him that questions about participation in international institutions will be made on the basis of the United Kingdom being a third country and the status of the United Kingdom becoming somewhat different from that which it currently enjoys. The point is that the consent to such further international ties will lie here in Westminster. That answers the point that has been raised, quite properly, by my right hon. and learned Friend the Member for Beaconsfield (Mr Grieve), on the signing of treaties and the fact that the United
Kingdom has, on many occasions in its history, chosen to share the power it has enjoyed and participate as a full and vigorous member of the international community.

Anna Soubry: As ever, my hon. and learned Friend is quite outstanding at the Dispatch Box, but I have to ask him this: what is the Government’s solution to ensuring that we have frictionless trade? What is the Government’s policy to deliver it?

The Solicitor General: As my very old and good friend knows, the Government have indeed—[Laughter.]

Mr Speaker: There is no need for a commotion. The Solicitor General is usually extremely felicitous of phrase. I think the word for which he was unsuccessfully groping was “long-standing”.

The Solicitor General: I ask that the record be corrected.

As my right hon. Friend knows, the White Paper published some months ago out sets out the options the British Government have been looking at. Option 1 is the proposed new customs partnership, and option 2 is the streamlined customs arrangement. Currently, two ministerial groups are taking forward work on those models. We accept that the precise form of any new customs arrangements will of course have to be the subject of negotiation.

Sir Edward Leigh: It is obvious, as we listen to the debate, that there is a real tower of Babel in this place in Members’ different views. I listened very carefully to my hon. and learned Friend yesterday, when he was replying to questions posed to him by my right hon. and learned Friend the Member for Beaconsfield (Mr Grieve), Is my hon. and learned Friend quite clear—this is a very serious and important question—that there is no way, given the complexity of the negotiations and the likely outcome, that the Government will allow the House of Commons, by a voteable resolution, to influence, unpack or defeat those negotiations?

The Solicitor General: Mr Speaker, I might risk straying into yesterday’s business, but I will briefly say that my hon. Friend knows that I have said repeatedly that we do not support or endorse the notion of this House mandating or directing the Government by resolution. We believe in full, vigorous democratic accountability, but that, frankly, is not the way that negotiations are conducted or treaties signed.

The shadow Secretary of State dealt with the question of Northern Ireland in some detail. We of course recognise the unique circumstances that apply to the border with the Republic of Ireland, and we have been consistent in our commitment to avoid a hard border. We believe that our joint report commitments can be fulfilled through the overall UK-EU future partnership, but it is necessary to ensure there is a backstop solution for the Northern Ireland border that avoids a hard border and protects the constitutional integrity of the UK internal market. No Prime Minister could ever sign up to the solution for Northern Ireland and Ireland that I am afraid, the Commission has set out, because it threatens the constitutional and economic integrity of our United Kingdom. We are Unionists and we are proud to be so.

Chuka Umunna (Streatham) (Lab): Does the Solicitor General accept that if we were to leave with no deal and we were trading under World Trade Organisation rules, that would necessitate a border, and that leaving with no deal is therefore inconsistent with Government policy as he has just stated it?

The Solicitor General: I entirely agree. The Government’s policy is to achieve a deal, because we are mindful of the points the hon. Gentleman and others understand.

Nigel Dodds (Belfast North) (DUP): I am very grateful to the Solicitor General for his remarks. Indeed, the Prime Minister’s remark about no British Prime Minister being able to accept the EU version of the backstop was also what the shadow Secretary of State said, when he said that the Labour Front Benchers could not accept such a proposition. I welcome that. Yesterday’s amendments apply to the powers in the Bill itself. Having said that, nobody in Belfast, among all the parties in Northern Ireland, or in London or Dublin, is advocating a hard border in the island of Ireland. Our point has been that what is agreed must not come at the expense of a border down the Irish sea, or of having Northern Ireland off into a special set of rules. In terms of taking back control of our borders, laws and money, the EEA proposition is clearly defective. Does the Solicitor General therefore share my surprise that one of the parties in Northern Ireland that does not want a hard border is actually advocating that proposition, despite what the shadow Secretary of State has quite properly enunciated today?

The Solicitor General: The right hon. Gentleman is absolutely right. I am surprised that there can be that level of divergence on what is a most important point. He makes the vital assertion, which I think is right, that the important amendments considered yesterday, which were outlined very carefully, relate to the powers in the Bill and how the Bill will operate. Of course they are consistent with Government policy, and there is absolutely no question but that their terms are entirely consistent with what the British Government want to achieve. It is important to note, however, that they relate to the powers in the Bill: a correcting power, the withdrawal agreement power, consequential powers and transitional powers.

Hywel Williams (Arfon) (PC): Does the Solicitor General not accept that the answer he has just given to the right hon. Member for Belfast North (Nigel Dodds), on the nature of the border between Dublin and Belfast, necessitates similar arrangements between Dublin and Holyhead if we are to sustain the Union between Northern Ireland and the rest of Great Britain?

The Solicitor General: The issue of the border will apply to the length and breadth of our United Kingdom. I have no doubt about that. I think the right hon. Member for Belfast North (Nigel Dodds) made the proper point that we do not want a hard border in the Irish sea between one part of our kingdom and another. That is a different point, I think, from the one made by the hon. Member for Arfon (Hywel Williams).

Lady Hermon: In the light of what the Solicitor General has just said in response to the right hon. Member for Belfast North (Nigel Dodds), and given that no one...
[Lady Hermon] wants a hard border on the island of Ireland—the new IRA dissidents would become very active along the border, it would agitate Sinn Féin to campaign for a border poll and it would do the United Kingdom no good at all—may I urge him to tell the Prime Minister to stop using the phrase “no deal is better than a bad deal”? The Solicitor General: I was with the hon. Lady until her last point. We need to make sure in these negotiations that the other side understand where we are coming from. When negotiating, one must negotiate hard, one must negotiate tough and one must negotiate in a way that advances the interests of the whole United Kingdom. She is absolutely right to talk about a border poll. I am not glib about that—I am far from complacent about what might happen. Both she and I understand that.

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): I am very clear; I do not want to see a hard border on the island of Ireland or down the Irish sea, not least because of the implications it would have for Welsh businesses and ports. Is the Solicitor General aware that Labour’s sister party, the Social Democratic and Labour party, which does not have a voice in the House at present, has made it very clear that it urges the House to support Lords amendment 51 because EEA membership allows the regulatory alignment that would enable us to avoid a very hard border?

The Solicitor General: I say to our friends and colleagues in the SDLP—I think in particular of Margaret Ritchie, the former Member for South Down, who, as we know, is rather unwell, and who was a dear friend and colleague prior to the election—that I must respectfully disagree with them on this issue. A commitment to the EEA is, I am afraid, a problem in the sense that I have outlined—it is a gateway to the four freedoms.

I want to deal with the issue of Liechtenstein and other countries. Liechtenstein has, of course, negotiated an immigration quota system, but it is a country of only 37,000 people. It is probably less than half the size of most of our constituencies. I do not see a permanent exemption on free movement being afforded to a country of the size of the United Kingdom, and that is why the intervention from the right hon. Member for Don Valley (Caroline Flint) was so important. For all those reasons, we cannot accept amendment (a) or the original Lords amendment on the EEA.

James Cartlidge (South Suffolk) (Con): One consequence of free movement is that we restrict unskilled migration to Europe. Is it not the case that if we no longer have free movement but have a single immigration system, unskilled migration will, by definition, have to be open to people from anywhere?

The Solicitor General: My hon. Friend is quite right, and that is why we need to create a system that does not discriminate between EU and non-EU countries.

Peter Kyle (Hove) (Lab): Sir Martin Donnelly, the former permanent secretary at the Department for International Trade, said recently in a speech: “To provide UK business with guarantees of full and equal access to the single market without equal acceptance of EU regulatory structures would require not so much a skilled negotiating team as a fairy godmother specialised in trade law.”

Is that not the truth? Is it not the truth that the EEA exists, whereas the Solicitor General’s negotiating stance and wish list do not and will not?

The Solicitor General: The hon. Gentleman is normally a great optimist and a man of sunny disposition who never lets anything get him down, least of all some of his local issues, which I know he has undeservedly suffered from in the past. He needs to have the courage to understand that in these negotiations there are interests on both sides—the UK and our friends in Europe—that must drive us towards the sort of arrangement or deal that will not only facilitate trade from our country to theirs but will protect, preserve and enhance the important business in goods and services that exists between us and other EU members.

2.45 pm

Catherine McKinnell (Newcastle upon Tyne North) (Lab): One group that has made its position very clear is the North East England chamber of commerce, which represents 3,000 businesses in my region. It has said that the north-east is hugely reliant on the EU for global trade, that 62.3% of exports go to the EU and that remaining in the EEA will reduce barriers and give chamber members the best chance to make a success of Brexit. Should the Government not be listening to the creators of thousands of good jobs in my region?

The Solicitor General: Of course we are listening to the job creators—I have mentioned that in the context of my own constituency experience, which is not dissimilar to the hon. Lady’s—which is why we have committed ourselves to the most frictionless possible trade. That said, any deal will have to represent Britain’s position as a third country rather than a part of the EEA structure.

Mr Baron: May I return the Solicitor General to what seems to be having been the Opposition’s first admission that they are seeking a customs union that would not allow us to negotiate trade deals with countries outside the EU? They might be pessimistic about the way forward—they have quoted the CBI—but many people out there are saying that, provided we can negotiate trade deals with countries outside the EU, the future is very bright. It is a vital point that Labour would let down the electorate by not allowing us to trade.

The Solicitor General: My hon. Friend is right to remind us of one of the key planks of the Government’s policy: that important freedom to negotiate free trade deals that comes from being in law a third country.

Geraint Davies (Swansea West) (Lab/Co-op) rose—

The Solicitor General: Not yet. I always enjoy interventions from the hon. Gentleman, who is a king of YouTube, but I will stop there—and perhaps draw a veil of charity over that.

On the customs union, I want to reiterate the commitment given by my right hon. Friend the Leader of the House last week that the Trade Bill and the
Taxation (Cross-border Trade) Bill will be brought back to the House by mid-July at the latest, which will give all right hon. and hon. Members the opportunity to have the debate that I know they are itching to have on these important issues. I am sure that they will therefore forgive me if I move on to deal with the other important points the amendments raise.

I want to deal with amendment (c) in lieu of Lords amendment 3, which was tabled by my right hon. Friend the Member for West Dorset (Sir Oliver Letwin) and which we support, as I think I have already indicated to him. It enjoys support from many corners of the House, and I would commend it as a clear commitment to what is after all the Government’s policy. It respects the position their lordships took about the need for a report, and we urge the House to vote for it.

Vicky Ford: Will my hon. and learned Friend give way?

The Solicitor General: I had better not. I have to move on, I am afraid, and I have taken an intervention from my hon. Friend already.

I want to deal with the charter of fundamental rights, which was mentioned by the right hon. and learned Member for Holborn and St Pancras. We continue to strongly believe that it would not be right to retain rights of action based on incompatibility with the charter or the general principles of EU law after we have left. To keep these in our domestic law, as Lords amendments 5 and 53 seek, would undermine two crucial principles. First, it is not consistent with the proper restoration of parliamentary sovereignty if legislation, including primary legislation, can continue to be disappplied or quashed by the courts on the basis of elements of the EU legal system intrinsically linked to our membership and obligations.

I will deal right away with the comparison made with the Bill’s treatment of the principle of the supremacy of EU law. It is not a comparison that I accept. I would draw a clear distinction between the need to maintain, in a strictly limited sense, a rule that has been central to the hierarchy and interpretation of our statute book for over 40 years and the charter itself.

The latter document came into effect in 2009. It was expressly intended only to reaffirm rights that exist expressly intended only to reaffirm rights that exist. It was not, however, to grant new rights or to undermine the supremacy of EU law. It was not, however, to grant new rights or to undermine the supremacy of EU law. The reason why the general principles of EU law existed before they were incorporated in the charter was a wish to ensure in part that such laws could not apply abusively; yet we are keeping the supremacy of EU law and removing the mechanism by which the abuse can, in exceptional cases, by challenged. That seems a very strange thing for a country that wants to enhance its freedoms to do.

Mr Grieve: Has my hon. and learned Friend not just highlighted the problem himself? Supremacy carries with it implications that the law, by its very nature, can override other laws. The reason why the general principles of EU law existed before they were incorporated in the charter was a wish to ensure in part that such laws could not apply abusively; yet we are keeping the supremacy of EU law and removing the mechanism by which the abuse can, in exceptional cases, by challenged. That seems a very strange thing for a country that wants to enhance its freedoms to do.

The Solicitor General: My right hon. and learned Friend and I have debated this matter before, and I do not want to repeat the issues that were raised then. Let me simply say to him that what we are doing is bringing back retained EU law, which will be an ever-dwindling body of law. It is not now the case that, as was feared by my hon. Friend the Member for Stone (Sir William Cash) and others, the law will constantly expand and increase to fill the spaces. I think that certainty must trump other considerations here.

As I was saying, the charter is really a catalogue of rights, rather than something that is integral to the way in which the entire legal system functions. Those very points were made with considerable eloquence and persuasive force by many experienced and expert peers, not least a number of former Law Lords. I cannot put it better than Lord Brown of Eaton-under-Heywood, a former Justice of the Supreme Court, who strongly opposed what he called both the “constitutional incongruity” of keeping the charter when we leave the EU and the “striking vagueness” of many of its articles. Lord Brown argued that, if the amendment were passed, “certainty and clarity...would be very far from advanced. This would be wonderful for the lawyers, but frankly, for few others.”—[Official Report, House of Lords, 23 April 2018; Vol. 790, c. 1350.]" I entirely agree.

Those arguments were echoed by a considerable number of other Members of the other place from all sides, including Lord Hope of Craighead, Lord Faulks, Lord Howard of Newport—from what the Lords call the Labour Benches—Lord Judge, the former Lord Chief Justice, Baroness Deech and, of course, the former Lord Chancellor, Lord Mackay of Clashfern. Lord Mackay said:

“once we are out of the EU, surely the fundamental part of our constitution should be respected—that is, that the courts of Westminster Hall, as they were, and the courts of justice of our land have no jurisdiction to set aside Acts of Parliament.”—[Official Report, House of Lords, 23 April 2018; Vol. 790, c. 1361.]" I wish that I could replicate Lord Mackay’s wonderful Scottish brogue, but I dare not do so in the presence of true Scots.

Wera Hobhouse (Bath) (LD): In the Exiting the European Union Committee, we heard that absolutely the opposite was also the case: that not retaining the charter would create a great many legal uncertainties. The position remains that if we are taking EU law into our law, the underpinning of that EU law—the charter—should be part of that as well.

The Solicitor General: I hear what the hon. Lady says, but I disagree with her. I think that the arguments in the Lords were very finely balanced. I am sure she has read those arguments. I entirely agree.

Mr Grieve: Has my hon. and learned Friend not just highlighted the problem himself? Supremacy carries with it implications that the law, by its very nature, can override other laws. The reason why the general principles of EU law existed before they were incorporated in the charter was a wish to ensure in part that such laws could not apply abusively; yet we are keeping the supremacy of EU law and removing the mechanism by which the abuse can, in exceptional cases, by challenged. That seems a very strange thing for a country that wants to enhance its freedoms to do.

The Solicitor General: My right hon. and learned Friend and I have debated this matter before, and I do not want to repeat the issues that were raised then. Let me simply say to him that what we are doing is bringing back retained EU law, which will be an ever-dwindling body of law. It is not now the case that, as was feared by my hon. Friend the Member for Stone (Sir William Cash) and others, the law will constantly expand and increase to fill the spaces. I think that certainty must trump other considerations here.

As I was saying, the charter is really a catalogue of rights, rather than something that is integral to the way in which the entire legal system functions. Those very points were made with considerable eloquence and persuasive force by many experienced and expert peers, not least a number of former Law Lords. I cannot put it better than Lord Brown of Eaton-under-Heywood, a former Justice of the Supreme Court, who strongly opposed what he called both the “constitutional incongruity” of keeping the charter when we leave the EU and the “striking vagueness” of many of its articles. Lord Brown argued that, if the amendment were passed, “certainty and clarity...would be very far from advanced. This would be wonderful for the lawyers, but frankly, for few others.”—[Official Report, House of Lords, 23 April 2018; Vol. 790, c. 1350.]" I entirely agree.

Those arguments were echoed by a considerable number of other Members of the other place from all sides, including Lord Hope of Craighead, Lord Faulks, Lord Howard of Newport—from what the Lords call the Labour Benches—Lord Judge, the former Lord Chief Justice, Baroness Deech and, of course, the former Lord Chancellor, Lord Mackay of Clashfern. Lord Mackay said:

“once we are out of the EU, surely the fundamental part of our constitution should be respected—that is, that the courts of Westminster Hall, as they were, and the courts of justice of our land have no jurisdiction to set aside Acts of Parliament.”—[Official Report, House of Lords, 23 April 2018; Vol. 790, c. 1361.]" I wish that I could replicate Lord Mackay’s wonderful Scottish brogue, but I dare not do so in the presence of true Scots.

Wera Hobhouse (Bath) (LD): In the Exiting the European Union Committee, we heard that absolutely the opposite was also the case: that not retaining the charter would create a great many legal uncertainties. The position remains that if we are taking EU law into our law, the underpinning of that EU law—the charter—should be part of that as well.

The Solicitor General: I hear what the hon. Lady says, but I disagree with her. I think that the arguments in the Lords were very finely balanced. I am sure she has read parts of the Lords Hansard and will have noted the force of the arguments that were put against the position that she occupies—and, indeed, the view of the House of Commons when we dealt with this issue in Committee and on Report.

I was disappointed that the Lords were not even willing to consider our own significant amendment in respect of the general principles, which I will come on to. I understand fully the concerns that have been raised about the protection of rights. It is, of course, vital that as we leave the EU, we do not see any dilution of domestic protections for our rights and liberties. I do not, however, accept that these amendments are necessary to the realising of that aim.
The charter did not create any more rights. It reaffirmed the rights that were already recognised in EU law—the law being retained in the UK under the Bill. The charter applies to EU institutions and member states only when they are acting within the scope of EU law. It is not—I repeat, not—as broad a body of law as the European convention on human rights and should not be compared to it.

Debbie Abrahams (Oldham East and Saddleworth) (Lab): Article 26 of the charter concerns disability rights. Liberty and Amnesty International specifically say that it “goes further than domestic laws and provides for specific measures to ensure the ‘independence, social and occupational integration and participation’ of disabled people in community life.”

That provision is stronger than domestic law. How will the Government ensure that it is protected?

The Solicitor General: The hon. Lady and I share an interest in—and, indeed, a passion for—the position of people with disabilities in this country. However, I think that that analysis is wrong: I do not think that article 26 enhances rights in the way that both she and I would understand. It does not give any extra domestic remedy to people with disabilities who might face discrimination or other injustices. I know that she is familiar with recent important Supreme Court decisions relating to benefits. We already have an important and vigorous domestic legal system whereby people who live with lifelong conditions or, indeed, other disabilities can challenge the authorities and seek redress of grievance.

Debbie Abrahams rose—

The Solicitor General: With respect to the hon. Lady, I must press on.

I am concerned that some people—including no less than the former Attorney General, Lord Goldsmith—seem almost to be contradicting themselves 10 years on. Lord Goldsmith, who was the Attorney General, made his position absolutely clear to Parliament:

“The United Kingdom’s position, like my position, has always been that the charter affirms existing rights, it does not create any new justiciable rights in any member state and does not extend the power of the courts.”—[Official Report, House of Lords, 9 June 2008; Vol. 702, c. 427.]

It was not the noble Lord but, I think, the right hon. Member for Leicester East (Keith Vaz) who described the charter as having no more significance than a copy of The Beano. I simply ask: what has changed? For that reason, I do not accept that the rights contained in the charter will add anything to the rights of individuals in our country. Equally, I do not accept that rights saved by the Bill will not be justiciable if general principles challenges are excluded. Other sources of rights will continue to exist and operate in UK law.

None the less, we have listened to the concerns that have been raised, particularly in relation to accrued rights. We want to get the balance right. When we last debated the matter here, I agreed to a change that delayed the prohibition of certain rights of challenge on general principles grounds, when the cause of action arose before exit day, for three months after exit. This week, we tabled an amendment in lieu that goes considerably further. It delays that prohibition for three years, subject, of course, to the normal statutory limitation periods, which will continue to apply.

Mr Grieve: Having had a gentle dig at my hon. and learned Friend a moment ago, I now thank him, because I know that it was his personal intervention which at least secured that. It is a great improvement, and I think it will be greatly valued. It is likely to apply in very few cases, but it provides a higher level of support.

The Solicitor General: I am grateful to my right hon. and learned Friend. I have listened to representations from him and from other Conservative Members on the issue. I believe that we have now struck a reasonable and fair compromise between the concerns and arguments raised by Members in all parts of the House, and I urge Members to support the Government’s amendment.

It is the Government’s ambition to leave our environment in a better state than that in which we found it. That is what we owe to our children and our grandchildren, and that is why the Prime Minister said in January:

“We will use the opportunity Brexit provides to strengthen and enhance our environmental protections—not to weaken them.”

On 10 May, my right hon. Friend the Secretary of State for Environment, Food and Rural Affairs launched a consultation on the development of a new independent statutory body to safeguard the environment alongside approaches to embed EU environmental principles in our own domestic law. However, the Government have listened to concerns raised in both Houses that certainty is required more quickly, and we recognise the intentions behind the amendments tabled.

3 pm

Caroline Lucas (Brighton, Pavilion) (Green): The trouble is that there is a huge gulf between the lovely statements that the Environment Secretary has made and the reality of this amendment. The hon. Member for Wakefield (Mary Creagh) has already pointed to some of the criticisms of it, but there is also a major criticism that it only focuses on the role of central Government; it does not cover local authorities or arm’s length bodies, and moreover it seems to address only policies, not day-to-day activities. Those are two big problems.

The Solicitor General: The hon. Lady deals with the nub of the issue, and I shall address those particular points in turn. While she makes an important point about the reach of this provision, my main intention is to try and replicate what were general EU principles in the same way, to create the framework in domestic law that both she and I would embrace and which will allow the development of statutes here in Parliament and the policies that will I think in very large measure deal with the issues she is concerned with. [Interruption.] I am sorry that she is shaking her head; I am doing my very best and I will explain in further detail.

My right hon. Friend the Secretary of State announced that we will bring forward an environmental principles and governance Bill in draft form in autumn of this year to deliver those proposals, with the introduction of a Bill early in the second Session of this Parliament. For this reason we warmly welcome the amendment tabled by my right hon. Friend the Member for West Dorset (Sir Oliver Letwin) in lieu of the amendment tabled by Lord Krebs. Despite the good intentions behind Lords
amendment 3, we cannot accept it. It would create legal uncertainty; it does not take into account that a significant proportion of environmental legislation and policy is devolved.

That is one of the issues I wanted to address directly to the hon. Member for Brighton, Pavilion (Caroline Lucas). As we have seen today, we have already had a number of tensions about devolution, and the Government therefore tread very carefully in the field of domestic law before expanding too widely upon policy areas that are rightly the province of Edinburgh, of Cardiff and indeed, when the Assembly sits, of Stormont.

Geraint Davies: Will the Solicitor General give way?

The Solicitor General: Not at the moment.

Lords amendment 3 would create a risk-averse approach to the design of better and more effective environmental standards. For example, it would require the Government to extend the scope to all public authorities—the hon. Lady’s point. That goes much further than the European Commission, which can take action only against a member state, not individual public authorities within that state. The Government therefore have instead proposed that the body should focus on national Government, to retain that focus on the most significant national issues. The requirement of a direct duty in Lords amendment 3 to apply those environment principles listed in the amendment across a wide range of Government activities goes far beyond the way it works at EU level currently. Such a far-reaching duty does not exist anywhere in EU law, so instead of replicating and bringing down those principles, we are in danger of creating some intended consequences that would cause concern to Members across this House. However, we recognise that an early reassurance of our intentions is needed, and we therefore move to support the amendment in lieu.

Richard Benyon (Newbury) (Con): I was tempted by their lordships’ amendment, but I do think we have managed to produce something that can satisfy everybody in this House, because, as my hon. and learned Friend has just said, there is subsequent legislation that we can build on. This is the framework; the principles will be in the Bill and we will be able to construct a national policy in the way that my hon. and learned Friend has just outlined.

The Solicitor General: My right hon. Friend is right. He was an outstanding Minister in the Department and I am grateful to him for his continued passion for the causes he represents so eloquently.

The amendment in lieu provides further reassurance for the House and sets out that the Government will publish draft legislation no later than six months after Royal Assent to this Bill.

Caroline Lucas: On that point of timing, there is a real problem, particularly if we end up with no deal, because then we would not have a watchdog and the principles in place fast enough; we would have a yawning governance gap. What measures is the hon. and learned Gentleman planning to put in place as a contingency in the event of no deal, and in particular will he look at having a shadow body, just as there was a shadow climate change committee, that would get up and running as soon as possible?

Geraint Davies: Will the Solicitor General give way?

The Solicitor General: Very well, I will give way to the Chairman of the Committee.

Mr Speaker: Order. Before the Solicitor General does so, I gently remind him that he had indicated to me that he might speak for up to an hour, and if that is his intention, so be it, but he will realise that he is now into the last quarter of that allocation. He is a very courteous and considerate fellow and would not want a situation to evolve in which significant numbers of hon. and right hon. Members who wish to speak in the debate were prevented from doing so on account of too lawyerly speeches, whose eloquence and erudition were equalled only by their length.

I call Mary Creagh.

Mary Creagh rose—

The Solicitor General: I am grateful to the Committee Chair and I reassure her that we are seeking to replicate the framework that currently exists. There is going to be legislation and the consultation is, of course, a vital part of that. I know that the hon. Lady will play a vigorous and active part in that. We can get this right and deal with many of the concerns and issues she so strongly puts forward, not only today, but on all occasions when she speaks on these matters.

Geraint Davies: Will the Solicitor General give way?

The Solicitor General: Does the Solicitor General accept that with the new powers of Ministers to change things as appropriate they could reduce our air quality standards to below that required by the EU, and we would not have the institutional framework to fine the Government and enforce those standards even if they were lower?
The Solicitor General: No. That is not true, I am afraid. Perhaps I will be a bit more polite to the hon. Gentleman and say that he raises a proper concern, but I can reassure him that that is not the case, and it is certainly not the approach of this Government.

May I now deal with the issue of the protection?

Mr John Hayes (South Holland and The Deepings) (Con): Will my hon. and learned Friend give way?

The Solicitor General: No; may I develop this point?

This amendment will deliver robust protections. In particular, it acknowledges that there may be circumstances where the new environmental body should be able to take the Government to court; this is the important enforceability point. That power will be proportionate and appropriate, and used only as a provision of last resort, supplementing established processes including parliamentary scrutiny.

The amendment also requires that the Government list the environmental principles, such as the “polluter pays” principle and the precautionary principle, in the proposed draft Bill. The draft Bill and forthcoming policy statement will provide further details of how these principles will be interpreted and how they will apply. It will also set out that the principles should have an effect in the UK after we leave the EU that is equivalent to that before we leave. It will ensure that their primary focus will be on the formation of policy at a national level. In addition, the statutory policy statement will set out how, as at EU level now, the environmental principles will be considered in the context of the Government’s wider policy objectives. That includes the applicability of the principle of proportionality.

A policy statement will be presented here in Parliament for scrutiny before it comes into effect. As at EU level, the principles will also be considered in the context of wider objectives to ensure balanced decision making, meaning that Ministers of the Crown will also be required to give proper consideration to other important policy objectives, such as delivering a thriving economy and building the homes that people need, when making decisions. I thank my right hon. Friend the Member for West Dorset for tabling his amendment, and I urge hon. Members to support it.

I want to move on to the important issue of refugees—

Mr John Hayes: Will the Solicitor General give way?

The Solicitor General: Please forgive me, but I need to press on.

The Government recognise and share the strength of feeling in this House and beyond on the important matters of asylum and refugees, not least in relation to unaccompanied asylum-seeking children. I should be clear that what we are discussing here is the situation concerning asylum seekers—that is, people who have made an application for international protection and have not yet had their claim decided. That is entirely distinct from the equally important issue of refugees: people who have had their claims considered and been found to be in need of protection.

We as a country can be proud of the role that we have played in supporting children affected by the migration crisis. Since the start of 2010, we have granted more than 51,000 children resettlement, refugee status or alternative forms of protection. Our resettlement schemes have provided protection to more than 6,500 children. These are among the most vulnerable refugees, who the Government, with the UNHCR, have brought directly to the UK from conflict regions, together with their family members, so that they do not have to make appalling, perilous journeys to Europe, often in the hands of traffickers or smugglers.

Tim Loughton: I am pleased that the Government have decided to back the amendment tabled by the right hon. Member for Normanton, Pontefract and Castleford (Yvette Cooper), which mirrors the amendment that I tabled on Report to extend the provisions on family members in accordance with the Dublin III regulations. Does the Solicitor General also realise that there is a further amendment here that the Government have not yet backed? It would ensure that children seeking asylum could be reunited with their brothers or sisters who might be under the age of 18, who might be their only surviving family members and who might be in good, stable, loving foster care in this country? Under the current terms, those children would not qualify. Surely it must be the intention of the Government to extend this?

The Solicitor General: I will deal with that important point in a moment if I may, because I want to do justice to the amendment tabled by the right hon. Member for Normanton, Pontefract and Castleford (Yvette Cooper).

In addition to providing protection through those schemes, we have taken a leading role in international efforts to address the root causes of the global crisis with our £2.46 billion of humanitarian aid in response to the Syrian conflict. We have also pledged £30 million to the Education Cannot Wait fund, to deliver better education to more than 4.5 million children in crisis regions. Leaving the EU will not change our international obligations under the UN convention on refugees and the European convention on human rights. We are absolutely clear that our co-operation with our EU partners on the important issue of asylum will be critical in order to ensure that those in need of international protection are able to access it effectively.

Before I address the substance of the amendment, I must remind hon. Members that we are dealing with the arrangements for negotiating a reciprocal agreement, so nothing in the Bill will directly confer leave to enter or remain in the UK. It is the basis on which we will enter negotiations with the EU, and nothing can be achieved unless and until we reach an agreement. It is the terms of the agreement itself, and if necessary its implementing legislation here, that will dictate who shall enter the UK and on what terms.

I want to place it clearly on record that this Government will seek a new reciprocal agreement with the EU to allow unaccompanied asylum-seeking children present in an EU member state to join close family members here in the UK, and vice versa, where it is in their best interests to do so. Any such agreement will be to allow an unaccompanied asylum-seeking child to reside with family members while their claim is being considered. That will not automatically confer long-term status here, or mean that that person will be granted refugee status. As with all claims to the UK, we will examine those claims in line with our international obligations and domestic rules and legislation—the due process that is such an important element of this.
Turning to Lords amendment 24, I know that Lord Dubs tabled this amendment with the very best of intentions, and I share the tributes that have been paid to him. However, we wish to ensure that the clause is phrased in such a way as to best enable the Government to deliver the intended outcome. We have a number of issues with the current drafting of the amendment, which is why we have proposed alternative wording.

3.15 pm
First, as a consequence of leaving the EU, it is likely that we will no longer be a participating state in the Dublin III regulation. Indeed, the EU is currently finalising the negotiations on what will probably be the fourth iteration of the Dublin scheme. The clause as currently drafted would tie the UK into negotiating to maintain access to part of, but not all of, the current regulation, which would create uncertainty as to what would happen when the EU moved on to the fourth iteration. We remain absolutely committed to providing a safe, legal route for unaccompanied asylum-seeking children to join close family members in the UK, but, with the greatest respect, setting up a negotiation that ties the UK to a specific outcome—specifically, one part of a regulation that is likely to be replaced soon—is not the way to do that. What we envisage with this amendment, and what we have committed to on numerous occasions, is to seek to establish a new, bespoke arrangement that safeguards our commitment to these children, while being distinct from what is after all an internal EU process.

Secondly, even if the Dublin regulation were not undergoing significant renegotiation, there is no capability within Dublin’s article 8 mechanism—which covers family connections—for it to be applied in isolation to a third country, as will be the UK’s status when we leave the EU. While the EFTA states do participate in the regulation, they do so in its entirety, rather than in the partial manner envisaged by the noble Lord’s amendment. When we leave the EU, it will be more sensible and far more effective to have a new relationship that deals specifically with these issues. It is no good trying to shoehorn us into the existing system.

Finally, the amendment as drafted implies that the UK Government must take further actions in addition to negotiation with the EU, but it does not specify what these actions are. This House has a responsibility to pass legislation that is clear and unambiguous. We need to avoid costly litigation wherever possible and provide maximum legal certainty. I go on about legal certainty a lot, Mr Speaker, but as a Law Officer, I believe that it is very much at the heart of our constitutional obligations, and I make no apology for that.

For these reasons, the Government have tabled their amendment in lieu. We have listened to concerns in the other place, and we do not disagree with the substance of Lord Dubs’s amendment. Indeed, we have provided assurances in this House and in the other place that it will be our priority in the negotiations to safeguard the rights of unaccompanied asylum-seeking children, and I am pleased to confirm that we will accept amendment (ii) to Lords amendment 24, tabled by the right hon. Member for Normanton, Pontefract and Castleford, the Chair of the Home Affairs Committee.

**Yvette Cooper** (Normanton, Pontefract and Castleford) (Lab): I welcome the Solicitor General’s acceptance of my amendment (ii). I also pay tribute to Lord Dubs for tabling the original amendment, and to my colleagues on the Home Affairs Committee and to Members on both sides of the House who have pressed for this change. May I urge the Solicitor General again, however, to accept amendment (i) as well? I have a case involving a 12-year-old from Eritrea who was in an adult hostel in Italy and whose 17-year-old brother was in foster care here in Britain. The foster carers had said that they would take his 12-year-old sister as well, so I wrote to the Home Office. It accepted that, under the Dublin III arrangements, those two siblings should be reunited. They have been through all sorts of awful things that none of us would want our teenagers to go through. Under the Solicitor General’s current provisions, however, those teenagers would not be covered; so I urge him to accept amendment (i) as well.

**The Solicitor General:** I anticipated that the right hon. Lady would come back for more, and I quite understand the position that she and my hon. Friend the Member for East Worthing and Shoreham (Tim Loughton) have put forward, but the key consideration here must be the best interests of the child. Bringing children to join underage relatives might well be in their best interests sometimes, but not always. It is highly unlikely that the relative would be able to provide care, and there is an issue about pressure on our domestic care system—[**Hon. Members:** “Oh!”] No, no—we have to be careful to maintain the balance between the need to support families and allow family reunion, and unintentionally incentivising the sort of dangerous journeys that everyone in this House is extremely familiar with. That is why it is important to understand, as we approach the negotiations on the basis that is currently the requirement under the Dublin regulation, that extended family members—grandparents, aunts and uncles—will need to be able to demonstrate that they have adequate resources to care for the child effectively in order for a transfer to be made.

**Heidi Allen:** While I understand that the interests of the child should be at the heart of everything we do, this is just about a little piece of legal text to say that if it is in the best interests of the child, they should be able to join their sibling. For the limited number of cases that the Solicitor General is talking about, I can see no reason whatsoever why that would not be a kind, compassionate, logical thing to do.

**The Solicitor General:** My hon. Friend is kind and compassionate, and I think that all Members of the House are kind and compassionate people, but the interests of the child in our domestic law lie at the heart of the courts’ consideration. The paramountcy of the best interests of the child is what the Children Act 2004 is all about, and I have to apply that.

**Yvette Cooper:** The best interest test still applies. It is still in our legislation. Nothing in my amendment (i) removes the best interest test; all it does is replicate the existing arrangements, which are already covered by the best interest test. All the Solicitor General’s arguments are completely spurious.

**The Solicitor General:** I respectfully disagree with the right hon. Lady. There is still an issue with the applicability of that particular amendment and with how it would mesh with our domestic law. We must not forget that
such changes are not about the conferral of rights. The passage of such amendments does not confer direct rights upon people. This is about the Government's negotiating position. [Interjection.] I cannot give way anymore, because I must bear in mind the Speaker's strictures. I have gone a minute beyond the hour and still have more work to do.

Moving on to Lords amendment 4, one of the key principles of the Lancaster House speech and, indeed, the Government's manifesto was to maintain and enhance workers' rights—[Interjection.] I have been more than generous in giving way. I pride myself on giving way to Members from whichever corner of the House they may come, and I am sorry if hon. Members feel that I am being ungenerous, but I must respect time, too. That is why I want to press on.

The Bill deals in many places with the status of retained EU law, but much of our debate has turned on how that retained EU law is amended once we have left the EU, hence the core of the concerns about Lords amendment 4. The Government and Opposition are more united than divided here. We both clearly want to maintain the protections and rights that are established in EU law. Our amendments in the Lords have done this for EU regulations and for all the directly effective areas. Changes could relate to the trade in seal products—cruelty to seals—or to protecting people on offshore oil and gas installations from fire and explosions, which is in the working time regulations, or to the protection of the marine environment. We need that element of flexibility.

That is not a way of avoiding the procedures of the House; it is about making the law clear, certain and usable to protect all the different categories that we are dealing with. I am worried that we would be kneecapped, not just as a Government, but as a Parliament. There is a lot of work to be done ahead of Brexit, and we need to concentrate on what is fundamental and what will involve change. Lords amendment 4 fundamentally affects how we can do that, so we must oppose it.

My right hon. Friend the Secretary of State for Exiting the European Union left the House in no doubt yesterday of the importance of this legislation. The Government listened in the other place and showed flexibility by tabling amendments that genuinely improved the Bill, but we rightly held firm on those areas where amendments proposed would have an adverse effect. I am somewhat downhearted that the House of Lords has not shown the same level of respect that we show to them and has sought to overturn decisions taken here on important issues relating to the protection of rights. I therefore ask the House to stand behind the Government tonight in ensuring that this legislation is fit for purpose, respects the referendum result, and respects the constitutional role of this House.

Mr Speaker: I call Stephen Gethins.

Stephen Gethins (North East Fife) (SNP): Thank you, Mr Speaker—[Interjection.] As you can tell, there is huge strength of feeling on this issue across the House of Commons, and that is right, because what happens here has a significant impact outside this place. That is why SNP Members will continue to make the case for our constituents in this place. This matters. We have a clear and coherent position on such issues, unlike the two biggest parties in this place. We know that the customs union is important to trade, that the single market is important to jobs, as the UK Government's own analysis has demonstrated, and that the fundamental rights that we enjoy as European citizens are critical to our constituents. People deserve their voices to be heard well outside this place.
I have heard from Government Members that this is just procedural, that we should just roll over and that we should not have a voice in this particular debate. Well, that is not what we are here for. Even if we just left this to the Government, they are not making much of a job of persuading even their own MPs.

Ian Murray (Edinburgh South) (Lab): The hon. Gentleman and I share a friendship as members of the Foreign Affairs Committee, and I welcome him back to the Chamber. People watching these proceedings will have seen that the Minister took more than an hour to make the Government’s case.

We have to be here to represent our constituents, and the hon. Member for North East Fife (Stephen Gethins) will be as disappointed as I am that the Scottish National party had five questions at Prime Minister’s questions today that, incidentally, went to Government Members, because SNP Members had walked out and were not here to ask them.

Stephen Gethins: I have great respect for the hon. Gentleman—[Interruption.]

Mr Speaker: Order. The House must calm down. I do not think the hon. Gentleman will be entirely surprised that his rising to his feet occasioned an immediate response from colleagues—he is a grown up and he can look after himself—but, that said, he must be heard.

Stephen Gethins: Thank you, Mr Speaker.

I remind the hon. Member for Edinburgh South (Ian Murray) that, in 1987, Scottish Labour Members marched out of this Chamber because they did not think the Government were taking Scotland’s interests seriously. It is remarkable: the Government have not changed in their attitude, but the Labour party certainly has. That is why there are so many fewer Labour MPs.

3.30 pm

Pete Wishart: What my hon. Friend will see, as I see and the people of Scotland will observe right now, is representatives from Scotland being shouted down the minute they get to their feet to put the Scottish interest. It is no surprise and no wonder that the people of Scotland find all these unedifying scenes appalling and repellent. That is why we will continue to put the voices of Scotland.

Stephen Gethins: I will teach Members a lesson on the matter at hand, and maybe they will learn something. If the Government are proposing a very significant change that affects everybody—it affects generations to come much more than it affects anybody in this Chamber—which is what is happening with the EU withdrawal Bill, they should have the courage and the confidence to campaign on more than a blank sheet of paper, which was all the leave campaigners did. They should set out their arguments on more than a blank sheet of paper, which was all the leave campaigners did. The people of Scotland find all these unedifying scenes appalling and repellent. That is why we will continue to put the voices of Scotland.

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The 2017 general election gave all Members an opportunity. When the Prime Minister asked UK voters for their views on Brexit, they returned a hung Parliament. Only the SNP—and the Democratic Unionist party, to be fair—was returned in a majority of the seats in which we stood. But there should be an opportunity to reach out. Some of the SNP’s best policy achievements came during a period of minority Government between 2007 to 2011, when Scottish Government Ministers were required to work constructively with other parties and needed other parties to work constructively with them. No one got everything they wanted in that particular set of circumstances—I know that the hon. Member for Caithness, Sutherland and Easter Ross (Jamie Stone) was in that Parliament—but that is something that we need other parties to work constructively with them. The SNP gained an unprecedented majority having pursued those particular policies.

There has been a particular impact on Ireland—Government Members would do well to listen to this. The Good Friday agreement has been undermined by Government Members, and right now, we should be listening to Ireland. The best friends anyone can have are honest and we all rely on critical friends. Frankly, right now the UK has no better friend than Ireland. In fact, the UK has benefited from Ireland being a full member state of the EU, as it would if Scotland were a full member state. I have heard so much about how canny the Commission is and how we cannot trust its negotiating position. No one is trying to pull the wool over Brexiteers’ eyes; it is just that they have come up against the brick wall of hard reality, and that is clear two years on.

All this comes at a time when politics in this place, as has been demonstrated today, could not be poorer. Notwithstanding some fine individuals whom I respect on both sides of the House, we have the most ineffective and incompetent Government in living memory, and they are let off the hook only because they are shadowed by the most ineffective Opposition most of us have ever known, and hopefully will ever know. We want Labour Members to be doing better and we rely on them to be doing better, but at just the time when we need an effective Opposition and Government, we have neither.

Given the devastating impact that leaving the EU is having on jobs, the economy and those who have made the UK their home, the UK is on the cusp of becoming a failed state that does not represent its constituent parts and, for the first time ever, leaves the following generation worse off than the ones that came before it. One way or another, there is a better way to do this.

Mr Kenneth Clarke: Mr Speaker, an English Member may restore some of the calm that has not accompanied the Scottish exchanges—thank you very much for calling me. I will try to be as brief as possible. We have a ridiculous situation thanks to the programme motion—we have about three hours left to cover amendments on a whole variety of different subjects that have all been lumped together. In the interests of time, I will confine myself to discussing the future trading arrangements of this country with Europe and the rest of the world, and the Government amendment got the better of the reference to “a customs union”. Obviously I will not follow all the Front-Bench spokesmen in being extremely generous in giving way. I apologise in advance, because I do not think I will give way much, if at all, because otherwise a large number of other Members will wind up speaking, as they did yesterday, with three-minute time limits and other absurdities that this House has inflicted on itself by accepting the programme motion.

I come to the issue that we are currently addressing most vigorously, although there are many, many more to come: our future trading and economic arrangements with the rest of Europe and the world. My views are well known, and I set them out in Committee. I wish to see absolutely no new barriers to trade and investment erected between ourselves and the rest of continental Europe. I do not think such barriers are necessary to fulfil Brexit. I certainly do not go along with some of the more extreme advocates, who seem to be positively relishing the idea that we should erect new barriers of all kinds between us and the 27 member states on the continent, while having the most open and exotic free trade approach to the rest of the world, reducing barriers of every kind to other trading nations. In today’s globalised world and rule-based order, free trade is particularly essential to the British, and we have to minimise the damage that might otherwise be caused when we implement Brexit.

Let me deal briefly with the argument that is bound to be raised by some—“the moment you mention this, you are defying the referendum.” Again, I shall not repeat what I said yesterday, but I do not think the referendum remotely addressed the important subjects we are debating today; it was a yes/no question on a very broad-brush issue. I took part in a lot of debates up and down the country, doing one or two against Dan Hannan MEP, whom I know well. He is a difficult man to debate against. In my opinion, he is one of the most articulate and informed of the Brexiteer campaigners. I disagreed with him, but I do not believe the case he put. Dan Hannan was not against the single market and the customs union—that was not his view at all. None of that came through in the debate.

Unfortunately, the national media reporting of the referendum debate was pretty pathetic; it was all about Turks and how much money was going to go to the health service and so on. All this argument about trading arrangements was brought to a head only after the referendum, when the Prime Minister was induced by her then special adviser, Mr Timothy, to give the unfortunate speech at Lancaster House. Suddenly, new red lines were introduced: we were leaving the single market, leaving the customs union and rejecting the jurisdiction of the European Court of Justice. I will not go further on that, as I made the same point yesterday.

I do not remember any ordinary member of the public asking me anything during the campaign about the customs union and the single market. To this day, when I go to my constituency nobody is quizzing me about the customs union and the single market. Nobody is following these debates, except when there is reference to the fact that if we get this wrong, we could do immense damage to the livelihood and wellbeing of very many people. If we do get it wrong and unintentionally
create borders to trade, we will make the prospects for future generations even more difficult. In this debate we have heard great vehemence about the customs union and “the single market”—and not surprisingly, because it was the Thatcher Government who created the whole institution in the first place. Although the Prime Minister is not a Thatcherite entirely, on economic policy she and I both believe in open, free markets. There is nothing undesirable about the single market arrangement, except that it allows the freedom of movement of labour. That is the only objection to it that most Conservative Brexiteers ever raised, unless they are of the hard-line head-banging variety, who go much further than that. That is the only objection that they have.

3.45 pm

On the customs union, to which today’s amendments are most relevant, nobody says that there is anything wrong with it. Nobody says that it is undesirable that we currently have open borders. Presumably, they all accept that it is hugely beneficial to wide sectors of our economy. The only thing wrong with it is that we cannot do trade deals with the rest of the world. I would have thought that the debate should concentrate and focus on those two points.

Mr Baron: Will my right hon. and learned Friend give way?

Mr Clarke: No, because I have almost taken longer than I intended already.

Let us address freedom of movement. Personally, I do not have any hang-ups about freedom of movement—people coming to work here, contribute to the economy, provide skills that we do not have or do unskilled work that British people will not do—but it could be tightened up. People should not come here for benefits and so on, or hang around if they have lost their job. I am sure that we could start to negotiate on the basis of tightening that up.

Mr Baron: Will my right hon. and learned Friend give way on that point?

Mr Clarke: If I start giving way, we will go back to where we were before.

Similarly, on trade deals with the rest of the world, if anybody can devise a method of trading with other countries on our own that is consistent with a sensible customs arrangement and better than the deals that we have now used very successfully for a long time—with our being the leading nation pushing for EU deals with the rest of the world—that is fine, but let us not accidentally drift into a position in which we are making absurd demands of the EU that mean our leaving not only the customs union and single market, but losing all the advantages that particularly the best and most competitive sectors of our economy have by way of their existing access to the European market.

Some people seem to think that we can have an altogether different and better type of trade deal with other parts of the world. Quite irrelevant statistics are misused to make the case, such as that growth is faster in the rest of the world than it is in Europe. It is an underlying truth that growth in emerging and developing markets, which was very poor until we got going with the rules-based order in the 1990s, is faster than that of developed countries such as our own, and it is always going to be faster. There is also the argument that there is more of the outside world than there is of Europe. That is indeed the case, but for the past 20 years in particular, the United Kingdom has been the most influential player in the European Union in insisting on the steady attempt to negotiate trade deals with the world in general, and the numbers keep growing.

On the British Government’s behalf, I was involved on the fringes of the constant efforts to get an EU deal with the US—the so-called Transatlantic Trade and Investment Partnership. It did not fail because there was something wicked about the EU; the fact is that, unfortunately, protectionist influences in America are very strong, and were even under the Obama Administration. One cannot get any response. I have been involved in all these things—I have talked about trading openings with India and Brazil, which are of course where the population is. It is absolutely absurd to think that there are no protectionist pressures in India and Brazil and that it is simply a question of our present Foreign Secretary walking in, with his bonhomie, and saying, “You will of course now throw your markets open to us”.

It is also absurd to argue that somehow this approach will produce deals with less damage to our sovereignty and fewer constraints. I do not understand those arguments. What is the nature of a treaty embodying a trade deal—or any other treaty, come to that? Both sides agree mutually binding obligations. They agree on tariffs, and remove them where they can. But what is far more important in trade with developed countries, such as the US—I personally think that the few tariffs left there could be abolished both ways with no disadvantage—is talking about regulatory alignment.

In the EU, we have achieved regulatory harmonisation. What one wants is mutual recognition. We agree to say, “We will abide by arrangements on regulatory standards, on which we both agree, and we, the British, will not change them in our House of Commons. We will not go back on them, and you won’t go back on them.” If we listen, again, to the more zealous Euro sceptics, they seem to think that the world will throw open its doors when we arrive saying, “We want a trade deal with you—open trade.” “Fine”, say the Australians. So we say, “The rules are that you agree to this, this and this, and you take this, and we take that.” But then we say, “Of course, we may change the rules—we may change the scope occasionally. We do not, of course, undertake to fetter ourselves by any lastling obligation to what we have agreed with you.”

There are no such deals. It is fanciful, as the Secretary of State for International Trade discovered when he went to America. He no doubt believed, as they all did just after the referendum, that the doors were about to be thrown open and that we would get a deal with the Trump Administration by Christmas. He found, as indeed I did in my dealings with America, that things are different. The current President is hopeless. He wants to reduce the amount that we and others export
to America, and he wants to use force in what he says are easy-to-win trade wars to get us to open up more of our markets to exports from the United States in sensitive areas. That is what he is about.

What is a constant in America—it is also true in Australia, New Zealand and Brazil, thinking of some of the bigger and easier markets—is that they are always anxious to have access to our market for their farmers. They produce food on an industrial scale to lower standards of animal welfare and food regulation than we have. President Trump will say, “We are going to sell you our beef and our chicken and some of our cereals on a bigger scale.” What will those countries want us to get rid of? They will want us to abandon the European regulations on animal welfare and food standards and take up theirs. It would cost us the European market if we did that, and we would have to have border guards everywhere because nobody would let us export to the rest of Europe or to Ireland, or be a route for, chlorinated chicken and hormone-treated beef. Australia has hormone-treated beef; it is not just the Americans. I will not go on, because I think I have made my point.

People are of course dismissed any time they try to point out the consequences of our ignoring reality in the modern world and what might happen to our economy—to Scotland and the rest of the UK—if we accidentally put all kinds of new barriers in the way of our trade. Unfortunately, the public have been persuaded by the Eurosceptics to ignore the Bank of England, the Treasury, the CBI, chambers of commerce, and people from key sectors of the economy such as the car industry and pharmaceuticals. It is all scaremongering, apparently—so we are told.

Actually, I do not see how anybody can argue that erecting new barriers between ourselves and the biggest, richest international free trade market in the world can do anything other than make us poorer than we were. That is why I do not understand why the Government are resisting the not very strong or compelling Lords amendment 1, on customs union, at all. They are only being asked to report on what efforts they are making to get there, and I think they are going to have to make efforts to get there.

The amendments in lieu are an attempt to devoid substantial amendments of any meaning. I would not vote with the Government on the meaningful vote yesterday, because I could not see that any commitment had been given; nor could I see any argument against what was on the amendment paper. I was very worried, because I thought that some of my close hon. Friends and colleagues were going to be very angry when they discovered that they had been foisted off with an agreement that covers anything. It is a phrase that the Prime Minister, says that it is “a customs arrangement”. Well, that covers anything. It is a phrase that the Prime Minister, for reasons that I have always understood, has slipped into several times because she cannot get the members of her Cabinet to agree on her using any other form of words. So for the time being she has been obliged to slip into talking about “a customs arrangement”. But that includes absolutely everything, from the kind of arrangements that would suit my hon. Friend the Member for North East Somerset to those that would suit my right hon. Friend the Member for Loughborough, but everything in between as well. It is a bit of a waste of a statement, coming back to say what efforts they have made to reach that extremely amorphous destination.

Of course, that takes us back to the root of the whole problem, which is trying to arrive at a border policy.

To end on a more optimistic note, I think that most of us have noticed that a more important tide was made yesterday, as I have said, with an amendment tabled by the Government that was described as the Irish amendment. It is part of dealing with the argument about the Belfast agreement, and actually embodies the Belfast agreement in law. It goes further by reinforcing what the Prime Minister has actually been saying for some time, if we have been listening to her—that we are going to have a customs union, in effect, in Ireland, because there is going to be nothing new and no checks on the border. We are, in effect, going to be in the single market as far as Ireland is concerned, because we are having regulatory alignment. We agreed that. I think that the Cabinet agreed it—although some of them do not seem to have noticed—not too long ago, back at the time of the draft withdrawal agreement, which the Government are now trying to finalise. I actually think that is where we should go.

The Government are still talking about frictionless trade. Unfortunately, thanks to the rows there have been, the slogan is now “as frictionless as possible” trade, which no doubt cheers up the Foreign Secretary. The truth is that we will have to have genuinely frictionless trade through arrangements on customs and regulatory alignment that preserve the benefits of all this for Ireland. Actually, the one thing that I think every Member of the House agrees on is that we do not want new barriers down the Irish sea, in Northern Ireland, between the Union—I am as Unionist as anybody here—and we are not putting up new barriers between the mainland and Northern Ireland when we leave.
That means that what we all signed up to yesterday as a legal obligation on the Government actually applies to Holyhead, as was raised by the hon. Member for Arfon (Hywel Williams), to Dover and to the whole United Kingdom, and we would make better progress if we enabled the Government to be a little more open and to settle down to that process. Having wasted two years, we might even be able at least to begin the serious negotiations with the other member states of the European Union, because we have to persuade 27 other Governments, 27 other Parliaments and the European Parliament that we have come back to reality on the subject and are prepared, in our mutual interests, to accept open borders, customs alignment and regulatory alignment, and to trade in the modern world.

I was prepared to listen and go along with the idea of a customs partnership, which was meant to be a way of combining customs union with trade deals with other countries, if we can get them. The difficulty is that “customs union”, unlike “customs arrangement”, has a meaning. Put simply, it means that we have no tariffs or other barriers between us; we have a common barrier around the outside, of tariffs and customs procedures for things coming in. That is why, in principle, we cannot have deals with anybody else, because we cannot have each member state punching a hole in the barrier because it wants to have a trade deal with Brazil on different terms. That is why the sensible thing—it is because it wants to have a trade deal with Brazil—would have been to encourage more EU activity to get deals for all 27 member states.

If the customs partnership—all this stuff about collecting different tariffs and refunding British businesses if theirs are lower—can be made to work, fine. I have my doubts about that. I think the “max fac” idea is utterly ridiculous, because it is incompatible with any open border, and it will not even be invented for some years anyway. I might welcome the backstop if I thought that the present system would continue for 10 years while Brexiters search for the new technology, but I think that they are unlikely to go along with that too happily. Serious negotiations have to be on the basis that we have described, which for some reason the Government are making the point really well—it is true—that in this place and outside, people have whispered conversations in which we say, “What on earth is going on?”

Several hon. Members rose—

Mr Speaker: Order. The last speech without a time limit—although I know that he will be sensitive to the demands of time—is from Hilary Benn.

Hilary Benn: It is a great pleasure to follow the right hon. and learned Member for Rushcliffe (Mr Clarke). I shall also follow him in not taking interventions, because many Members wish to speak. I wish to talk about the EEA amendment tabled by our Front Benchers and the EEA amendment that came from the House of Lords, and to explain why I shall be voting for both.

Time is running out, not just in the debate this afternoon but for the country. For far too long over the past two years, we have wasted time with a lot of dreaming—dreaming about that mythical trade deal in history, dreaming about us holding all the cards and dreaming that we will get the exact same benefits. The moment that that finally came to an end was when the Prime Minister spoke at the Mansion House and admitted that it was not really going to be like that. This is the moment when we need to tell each other the truth: there are choices that we face; there are trade-offs that we have to accept; and there are decisions that need to be made, which is the point just made by the right hon. and learned Member for Rushcliffe.

If I may use an analogy, it seems to me that we have decided as a country to disembark from a liner in the middle of the ocean, and we have two basic choices: we can jump into the sea, which is what a hard no-deal Brexit would mean, or we can climb down into a lifeboat and decide where we are going. What are those in the Cabinet doing at the moment? They have spent two years arguing, first about how to create a deep and special lifeboat. They are trying to come up with a lifeboat that will not breach their red lines, and they have broken up into working groups, probably discussing the size, colour and shape of the lifeboat. The only thing that has not happened yet is a Minister getting up at the Dispatch Box and announcing that no lifeboat is better than a bad lifeboat. I tell you, Mr Speaker, it is not funny. The truth is that it is extremely serious indeed.

What does all of this mean? It means that we have not yet agreed as a country what we want for the future of the relationship. Not only is the promised White Paper now not going to appear until next month, but we learned this week that there will be a two-day away day in Chequers where the Cabinet tries to thrash things out. That means there will be one European Council left on 18 October—one—at which to sort out all the things we have been debating yesterday and today and to agree the political declaration, which is all about the future of our country. As a result, we have barely begun to discuss what might be in this political declaration, and only a day or two ago, the Prime Minister said in her G7 statement on Monday, the international rules-based order is under a threat that it has not been under at any time since it was created at the end of the second world war.

We are in a perilous place. Business is losing patience; we know that. The EU is frankly bewildered about what is going on in this country. The British people, to judge by the polls, think the whole thing is going very badly. The right hon. Member for Broxtowe (Anna Soubry) made the point really well—it is true—that in this place and outside, people have whispered conversations in which we say, “What on earth is going on?”

The consequences of getting this wrong for the country will be deeply damaging for our future and for the jobs, livelihoods and public services that depend upon our economic strength. That is what we are debating. There is so much at stake that it is frankly difficult to overstate it. Let me say it plainly: we have had enough of management in the party interest. What we desperately need now is leadership in the national interest.

That brings me to the EEA amendment and the question of our future relationship with our biggest, nearest and most important trading partner: the 27 countries.
of the EU. The truth is that on both sides of the House we are all debating, and sometimes disagreeing on, what kind of framework would be best. The Government now accept that we will be staying in a customs union and, in all likelihood, aligning with the rules of the single market for quite some time to come, because nothing has yet been agreed that can possibly replace the benefits we derive from both.

The same outcome will inevitably result from the proposed Northern Ireland backstop, although it is currently silent on the question of regulations and the internal market, which is why I described it last week as half a backstop. That omission will have to be remedied between now and the end of this month, because half a backstop will not do the business when it comes to getting the European Council to agree with it. And by the way, it is ludicrous to debate whether the backstop is time-limited, because the truth is terribly simple: the backstop will remain in place as long as necessary, until something else comes along that can replace it and achieve the same objective, which is maintaining an open border between Northern Ireland and the Republic of Ireland. I am afraid that was about politics, not about policy.

That is also true of the debate about maximum facilitation and the customs partnership, although both ideas strike many people as costly, bureaucratic, burdensome and reliant on technology that is not yet in operation. However, being a generous soul, let me say that even if the Cabinet, on its away day, manages to reach agreement on one or the other, and even if the EU negotiators said, “Okay, let’s give it a go”—I do not think there is any prospect of that whatsoever—we all know that neither of them could be put in place by December 2020. It is too late: too much time has been wasted. That is why the transition period, or a transition period, is going to have to be extended by one means or another, whether that is with the backstop or an agreement on a way forward. That is where we are heading by default, so the question is: what form should the next transition, from January 2021 onwards, take? This is where the EEA comes in, because that would be one way of doing it.

Let me turn to the amendment moved by my right hon. and learned Friend the Member for Holborn and St Pancras (Keir Starmer) and Lords amendment 51 on the EEA. Both are about a future framework and the internal market, and the difference here—apart from the free movement issue, which I will say a word about in a moment—is really quite small, and I very much welcome what was said by my right hon. and learned Friend, who leads for the Opposition, about having an open mind. I will of course vote for his amendment, because who could argue with the notion of full access to the single market? If it is not successful, I will vote for the EEA amendment, because we need to keep our options open. To return to my analogy, it has the one great advantage that it at least looks like a lifeboat, and I have to say that the closer we get to October, the less inviting the cold sea appears to those thinking of jumping off the side of the ship.

I am the first to acknowledge that the EEA option is not perfect. I do not want us to be like Norway, and I am not arguing that we should have a deal like Norway’s. Apart from anything else, we want to remain in a customs union. As Michel Barnier repeated yesterday, it would be an option to have the EEA plus a customs union. Let us acknowledge that.

We should seek some changes to the way in which free movement currently operates. Some of those could be made within the current rules of the European Union, which we will be leaving. Others would involve discussion of the emergency brake, which is why my right hon. Friend the Member for Normanton, Pontefract and Castleford (Yvette Cooper) and I have tabled amendment (b), which refers to “safeguard measures”. The Exiting the European Union Committee, which I have the honour to chair, drew attention, in its report on the future UK-EU relationship, to the possibility of additional flexibility on free movement. We need to make sure that our agricultural and fish exports can continue to move freely.

Wayne David: Will my right hon. Friend give way?

Hilary Benn: I will not give way, because of the time.

Who knows whether the EEA option may turn out to be a temporary state, but as a potential starting point, with a customs union, it would provide a means of solving the Northern Ireland problem, keep goods flowing freely, ensure common standards, maintain the flow of data, protect employment and environmental rights and enable us to continue to co-operate in really important areas such as aviation, consumer safety, medicines and space research. Crucially, it would also gain us a place in the room when some future decisions are being taken. In the EEA, not all EU legislation has to be transposed, and there are consultation mechanisms and a separate court. When it comes to EU agencies, in many of which UK regulators have led the way, we could continue to influence what happens because we would be part of the conversation, even though we would not have a vote, which is not the case under the transition period that we will shortly be entering.

The EEA option would diminish in part—I acknowledge that it would do so only in part—the rule taker problem. However, given that we are leaving, I see no outcome in which the United Kingdom will be a rule maker. We will have to follow the rules of our biggest export market for goods and services because so much of our prosperity depends on doing so. I think the Solicitor General accepted that in his answer to my earlier question, although he tried to couch it—and I see the argument—in terms of us, as a free sovereign country, being able to choose to follow the rules of other people. Indeed we can, and the same is true of the European Court of Justice and any other part of the agreement that we may seek to reach.

4.15 pm

EEA/EFTA is also something the Brexit Committee said could be an alternative, and I just want to read what we said in our fourth report:

“Should the negotiations on a deep and special partnership not prove successful, EFTA/EEA membership remains an alternative and would have the advantage of continuity of access for UK services. The EEA option is available off-the-shelf and could be negotiated relatively quickly.”

For me, the other attraction of the Lords amendment is that it uses the word “enables”, not the word “requires”, referring to an agreement:

“which enables the United Kingdom to continue to participate in the European Economic Area after exit day.”
In other words, it gives us a choice. Now, that may not be the definitive answer, although I note that several right hon. and hon. Members on the Conservative Benches have tabled a similar amendment to the Trade Bill, which we will come to later in the summer. However, at the moment, when we are not entirely sure what options we have available to us, it would be very unwise to discard this amendment.

I finish by making two points. First, to those who say that this would mean Britain staying in the European Union, I repeat what I said yesterday: we are leaving the European Union, as the right hon. and learned Member for Rushcliffe acknowledged, at the end of March next year—that is what the referendum decided. Secondly, however, is anyone seriously arguing that Iceland, which is an EEA member, is a member of the European Union? It is not. So the argument holds no strength at all.

To finish, I somehow suspect that the EEA amendment may not survive the vote later today, but their lordships may come back with something in its place, and I hope that next time there is a proposal before us all of us who know just how much is at stake—now, here—will have the chance to rally round.

Several hon. Members rose—

Mr Speaker: Order. For a short period there will be a 10-minute limit, but I emphasise that it will be short. I call Mr Dominic Grieve.

Mr Grieve: Thank you, Mr Speaker. I shall be brief, because I am endeavouring during the course of this afternoon to finalise agreement with the Government concerning matters we debated yesterday, so I have every incentive to be out of the Chamber. However, I would not wish to leave without pausing for a moment to deal with two issues—one of a rather more specific nature, and one of a wider nature, which has already been touched on by the right hon. Member for Leeds Central (Hilary Benn) and my right hon. and learned Friend the Member for Rushcliffe (Mr Clarke).

Let me start with the specific matter. We have had a very interesting debate during the passage of this Bill about what we do with retained EU law and human rights. We have felt our way through this, and at the end of his speech my hon. and learned Friend the Solicitor General made some sensible points about the difficulties around the charter of fundamental rights. I do accept that it sits uneasily with a situation in which we bring laws back to this country, although I highlighted to him the inconsistency of having retained EU law without having general principles potentially to override it, because it itself can override other of our domestic laws. That was the justification for it, and I regret that we are not going to keep it, but I welcome the fact that we are at least going to keep it for three years. To that extent, we have made a little progress; I am genuinely grateful to my hon. and learned Friend, and I will accept that.

That still, however, leaves amendment 4—that of Baroness Hayter in the other place—which sought to provide some enhanced protection for certain areas of EU law. These are areas of EU law that I think many Members of this House would recognise as being of special significance, including “employment entitlements, rights and protection” something that has featured more and more in our jurisprudence. In the recent case, for example, of Benkharbouche, a lady was discriminated against in an employment setting within an embassy and succeeded, by going to the Supreme Court, in setting aside our existing laws on diplomatic immunity, because they in fact went beyond what was required under the Vienna convention. Those are real areas of progress for our legal system.

Those things will be lost without the charter and the general principles. The worry is that, while I certainly do not think my right hon. and hon. Friends want to diminish areas of equality, employment, health and safety law or consumer standards—we have covered environmental protection, interestingly enough—they have given no protective status whatever to those areas. At some point, the House will have to come back to this and consider whether we should amend the Human Rights Act 1998, which we could do, to do this in a way compatible with our parliamentary tradition and our parliamentary sovereignty. Until we do that, they do not enjoy protection.

Baroness Hayter’s amendment would at least give them this protection: that they could be altered only by primary legislation or by subordinate legislation, which would have to be subject to an enhanced scrutiny procedure to be established by regulations made by the Secretary of State. My hon. and learned Friend the Solicitor General will say that that is massively unwieldy, but actually it is not. All we need is to have a set of regulations that distinguish between technical amendments, which can go through just like that, or other amendments, which would have to be dealt with in a more enhanced form. The flexibility, therefore, is in fact there in the amendment and I do not think it is as unwieldy as the Government suggest. I am afraid that the truth is that, for reasons of their own, the Government just do not want to go down this road. We discussed and debated it at great length in Committee, and although we received delightful and repeated assurances that there was an understanding that these were areas of law that really matter, I am afraid that we did not succeed in getting any further.

I am afraid, because I do not like to have to rebel against the Government line, that I will vote for amendment 4 to retain those protections, when the Government seek to remove them. It is as simple as that. It is, perhaps, a gesture, but it is a gesture designed to put down a marker to say that we cannot ignore this issue for the future. We have pretty consistently ignored them, with the one great exception of what my hon. and learned Friend secured over the three years on the general principles. Respectfully, I will differ from the Government’s approach.

The second issue, which was touched on with great eloquence by the right hon. Member for Leeds Central and my right hon. and learned Friend the Member for Rushcliffe, concerns our future relationship structure within the EU, encapsulated in the EEA Lords amendment, the amendment tabled by those on the Labour Front Bench, and, to an extent, the amendment relating to the customs union or a customs union or a customs arrangement.
Mr Speaker, I do despair. I listen over and over again—every time I stand up in this place, I receive streams of emails— to angry people insisting that the sovereignty of this country is linked to the single issue of being free of the jurisdiction of the European Court of Justice, free of any form of customs union, and free, above all, to keep people we do not like out. That is all very well, and of course one can do those things, but the first thing that completely ignores is the fact that we are subject to myriad international laws, which we observe to the letter—because we are a rule-of-law state—quite cheerfully, and which greatly enhance our commerce, peace and security. We do it all the time because that is the way the world works in a globalised environment, but we have got ourselves so angry and so fixated that we cannot see the wood for the trees anymore.

The consequence of that, which I thought was beautifully put by the right hon. Member for Leeds Central, is that we are careering off trying to do a deal on leaving the EU which entirely ignores the reality of the relationship we have. We have been discussing Ireland’s role. We have dealt with the Irish border issue very well and I am pleased with that. I hesitate to say this here, but I remember once going to Dublin and a very nice Irish economist with the Irish Government said, “Of course, we may not like it here, but the reality is that the subzone we operate in is the British economic zone and it dictates how we operate.” That is of course why we have a common travel area. Similarly, we are—for all our 65 million people, being the fifth largest economy in the world and all the other things we like to trot out, and our pride in our nation state—part of the European economic zone. That is where we trade and where our commerce goes, and although I would love it if we could enhance it, trade elsewhere and encourage the EU to trade elsewhere, that will never be a substitute for where we are.

George Freeman (Mid Norfolk) (Con): I have a lot of sympathy with the points that my right hon. and learned Friend is making, and indeed those that the right hon. Member for Leeds Central (Hilary Benn) made earlier about the EMA, but will he not agree that the purpose of the Bill is to give effect to the continuity of the law at the moment? We have a Trade and a customs Bill coming after the summit. Is that not where these issues should substantively be addressed? In my view, these are mischievous amendments dealing with substantive issues with which I have a lot of sympathy, but this is the wrong Bill to give effect to them.

Mr Grieve: My hon. Friend makes a very good point, and I understand it—it is a feature of this place that we sometimes debate and vote on issues that are peripheral to the main point—but there comes a point when one has to stand up and be counted. If it is not this week, it has to be next week, and the truth is I am really anxious for my constituents and anxious about our general direction of travel. I respect the decision in the referendum, has to be next week, and the truth is I am really anxious about the EMA, but will he not agree that the purpose of the Bill is to give effect to the continuity of the law at the moment? We have a Trade and a customs Bill coming after the summit. Is that not where these issues should substantively be addressed? In my view, these are mischievous amendments dealing with substantive issues with which I have a lot of sympathy, but this is the wrong Bill to give effect to them.

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Yvette Cooper: I will start with Lords amendment 24 and the point I raised when the Solicitor General was speaking. This is not a remain or a leave issue. This is not a party political issue. He will have heard the support from both sides of the House for simply continuing with the family reunion arrangements for child refugees that we have right now. I am unable to put my amendment to the vote, because of Standing Orders and the ludicrous programme motion, but I think if I did it would command majority support across the House. It would help a very small number of some of the most vulnerable child refugees, so I urge the Minister to look again at that amendment, simply to continue with the existing arrangements.Whatever arguments we have on both sides of the House about Brexit structures and options, surely we should be able to come together with a humanitarian agreement not to allow Brexit to turn the clock back on this vital help for child refugees.

Frank Field: May I just record that some of us who voted leave joined my right hon. Friend on this point? We have always had a good policy. We know, in looking after these children, that there will always be abuses, but they are far outweighed by the importance of looking after the most vulnerable.

Yvette Cooper: My right hon. Friend is right. There is agreement across leave and remain, and I hope that this is an issue that can unite the House and that the Government will reconsider.

Last Thursday, I was in Berlin discussing Brexit with a German Government Minister, and he asked me what I thought the Government would do next on customs and trade. It was hard enough to talk about—would it be max fac, buffer zones, double-hatted regulations, backstops, front-stops, any possible customs arrangement or partnership, and so on? What was even more embarrassing, however, was that, even as we were speaking, I had to admit that I did not know whether by the end of the meeting the Brexit Secretary would still be in place—he was in and out of No. 10, apparently about to resign—and the Foreign Secretary was promising meltdown and telling us all, “Don’t panic!” We are embarrassing ourselves across the world with this “Dad’s Army” version of Brexit. We are in danger of turning ourselves into a national joke by not facing up to the real issues.

The Government say they do not agree with the Lords amendments on the customs union and the EEA, but we still do not know what they want instead. As others have said, the new customs arrangements amendment is a further fudge that just kicks the can down the road again, even though the road is running out.

Ministers should accept that, although they have been wrestling with this issue and with each other for 18 months, none of their customs options works, either for Northern Ireland or, crucially, for manufacturing industry, which is the spine of our economy. The technological max fac will not be ready for years; it does not solve the problem of rules of origin checks, nor can it avoid camera infrastructure at the Northern Ireland
border. It will leave businesses with what Her Majesty’s Revenue and Customs now says could be a £20 billion annual bill for the bureaucracy in explaining where all the ingredients and components come from in a fully integrated supply chain.

4.30 pm

The customs partnership is both bureaucratic and incomprehensible. Only a customs union will give manufacturers the deal that they need. Manufacturing towns across Britain voted to come out not to lose out. This week, Yorkshire and the Humber CBI and TUC joined local businesses and representatives—both leave and remain—to argue for a customs union as the best deal for Yorkshire manufacturing. Moreover, only a customs union will even give us a chance of addressing the issue of the Northern Irish border. We are the custodians of a peace that was hard won, not by us but by so many others who came before us. We must not be the ones who carelessly throw it away.

Let me now say something about the single market, because we have not yet debated it properly in the House. I will refer to various Lords amendments, and to both amendment (a) and amendment (b), tabled by my right hon. Friend the Member for Leeds Central (Hilary Benn).

At the heart of the single market is the concept of the level playing field, enabling businesses to compete on equal terms, giving workers proper rights so that they are not undercut, and protecting environmental and health and safety standards. I understand why the hardest of free marketeers will oppose that. It is also the case that people voted to be outside a political union, and outside membership of the EU. However, I still believe that there is a majority across the country and across the House—and there would probably be a majority in the Government if individual Ministers were allowed to be honest about the issue—in favour of a close economic relationship, even from outside the EU. That means some version of single market participation: not just access but participation, or as close to it as we can get in the negotiations.

Some Members on both sides of the House have concluded that they cannot support either the EEA or any single market model, because they believe that we need immigration reform and because of the European Commission’s response that the four freedoms must be indivisible. I understand that position. For many years, as well as calling for more support for refugees, I have called for reform of free movement, even from within the EU. While I believe that immigration is crucially important to our future, I also continue to believe that change is needed. I believe, for example, that we need to tackle the problem of some employers’ use of free movement as a reserve pool of low-skilled labour to undercut terms and conditions; and we need reforms to rebuild consent and consensus around the immigration system. However, instead of turning that into a reason to rule out trying to get as close as we can to full participation in the single market, we should be having a serious debate about what the real options and objectives for our country might be, and the difficult choices and trade-offs that might be involved.

Our Select Committee, the Home Affairs Committee, is trying to do that. It is looking into immigration and trade options and trade-offs. It concerns me greatly that so far we have had nothing from the Government in that respect, although immigration was one of the central issues debated at that time of the referendum.

Yesterday the Committee heard about a range of immigration options that might be compatible with single market participation in some form or other. We heard about safeguarding measures, including emergency brakes under article 112 of the EEA agreement; permanent safeguarding measures and caps negotiated by Liechtenstein; the current measures negotiated by Switzerland, with requirements to advertise jobs locally first; the previous immigration caps operated by Switzerland in 2012 and 2013, based on its 1999 negotiation; the separate arrangements for Ukraine as part of its association agreement with the EU; new options for emergency brakes or safeguards, put forward by Professor Ambühl, himself a former Swiss Foreign Secretary; the registration scheme operated in Belgium; the benefits regime proposed by Germany; reforms on posted workers proposed by France; reforms on agency workers; and labour market measures from Scandinavian countries, Switzerland, and even Germany and France that prevent undercutting.

I am not today advocating any particular measures, because our Select Committee inquiry is still under way. Nor am I claiming that each and any of them is either the answer to British challenges or achievable in negotiation, and I do not pretend that any of them will give any one of us exactly what we want, but compromises are going to be needed, and the point is that those with some of the most experience of negotiating on free movement in Europe told us yesterday that they think these options could potentially be part of a single market deal. That is why my right hon. Friend the Member for Leeds Central, the Chair of the Brexit Committee, and I have tabled our amendment which adds “appropriate safeguard measures” to the EEA amendment to make it clear that the Government’s objectives can and should include both a close single market relationship and immigration reform.

Let me turn now to whether the EEA is the right option or the best model. From the evidence we heard yesterday, it is clear that the EEA as it stands is not the ideal arrangement for Britain, that it would be better to have our own version, and that there are real challenges that have to be addressed on future rule taking, especially on services. But we may have more flexibility, as witnesses recommended to us yesterday, in a bespoke arrangement as Switzerland has, or an association agreement as the European Parliament has suggested. However, this will draw on, and have parallels with, much of the existing EEA regime. I also do not think we should be ruling out the EEA as the backstop, especially if the future partnership takes longer to resolve. It would prevent us from crashing out not just in 2019 but in 2021, without a new deal in place. We accept that we need a backstop for Northern Ireland, but we should be looking at a backstop more widely for all the other issues as well.

I accept that we are not heading towards consent or consensus on this today, however. This reminds me a bit of a 2003 debate we had on reform of the House of Lords. There was an overwhelming majority in favour of reform of the House of Lords, but seven options were put to Parliament and everybody voted in different ways on different ones, and none of them got through, and we have had no reform of the House of Lords since then. That is similar to the situation we are in now, and we are going to have to work harder if we are going to
reach consensus among those of us who believe in a close economic relationship and come up with something that can pull us together rather than divide us. I accept that people are interpreting this amendment from the Lords in different ways—either as the objective or as the backstop, as I think it should be—but if we are going to make progress we must work at achieving consensus.

My right hon. and learned Friend the Member for Holborn and St Pancras (Keir Starmer) the shadow spokesperson on Brexit has asked us to abstain. This is a difficult decision for me, and I feel very uncomfortable in doing so. However, in the interests of getting that consensus at the next stage when something comes back from the Lords or when we get to the Trade Bill, I will do as he asks today, although I have huge sympathy with those who will choose to do differently. But I ask my Front-Bench team in return to look very seriously at my Front-Bench team in return to look very seriously at this issue of the backstop, because this is crucial and the clock is ticking. The Government keep kicking the can down the road; we cannot all keep kicking it down the road as well. We cannot carry on like this; we have a responsibility.

Several hon. Members rose—

Mr Speaker: Order. I am afraid that, on account of the level of interest in the debate, the time limit on Back-Bench speeches will be reduced to six minutes with immediate effect.

Heidi Allen: I shall try to be brief, Mr Speaker. I want to touch on three amendments. The first relates to the customs union or customs agreement. Since the referendum, I have always said that I am not wedded to the customs union. I do not care what it is called as long as we achieve something close to what we have today: frictionless trade, a borderless barrier and free trade with the EU. I do not care whether it is a partnership or an agreement—I really do not care. However, I take great comfort that, when we couple that with yesterday’s successful amendment on Northern Ireland, which we have already spoken about today, that is the ultimate backstop. A commitment to avoid a hard border in Ireland, given that there appear to be no solutions to the technology issues whatsoever, tells me that somehow in all this we will come through with a customs agreement, union or partnership.

I think that the Bill is in better shape than when it was first drafted. We now have in the Bill—potentially after today—a customs union or agreement, and we have no hard border in Northern Ireland. I am therefore fairly happy with the direction of travel; we are finally starting to get there. We also have the Taxation (Cross-border Trade) Bill coming back next month, so let us see how the Prime Minister gets on at the end of the month, because there will undoubtedly be more opportunities to debate that—and many Conservative Members will not shy away from doing so if we need to, because frankly we cannot deliver the Good Friday agreement and ensure that there is no hard border in Northern Ireland without a customs agreement or partnership.

Staying on the customs theme, Lords amendment 51 deals with negotiating continued access to the EEA. I see that, plus joining EFTA, as a sensible lifeboat. It is far inferior to the bespoke customs arrangement that I know the Prime Minister is determined to seek, but if she does not achieve that, we will need this as a plan B. I have already put my name to an amendment to the Trade Bill relating to the EEA, and it is fair to say that I will be keeping my name there and abstaining today to draw a line in the sand to signify that we should not throw this option out. We need to keep every possible option on the table, because I for one am not prepared to plunge into the sea with no lifeboat whatsoever. The majority of Members, and of the British public, do not want to leave the EU with no deal and no lifeboat. That would be absolute economic suicide. The EEA-EFTA option is not my first preference, but it is a possible plan B, so we would be absolute fools to write it off. Let us see where we are with the Trade Bill and find out how the June Council goes, because this could be the lifeboat that we should all grasp with both hands.

Finally, I want to speak briefly to Lords amendment 24—the Dubs amendment. I am pleased that the Government have come a long way on this, thanks in large part to the leadership of Lord Dubs and to the amendment tabled by the right hon. Member for Normanton, Pontefract and Castleford (Yvette Cooper). Enshrining in law the inclusion of aunts and uncles under the definition of family members that child refugees can come to is huge, and no one could be prouder than I of what we have achieved as a country in relation to Syria and the region. We have provided unparalleled financial support and taken in large numbers of refugees, and the fact that we are prepared to take on the Dublin regulation, which we would otherwise have lost when we left the EU, is massive.

I cannot begin to imagine the hell and trauma that those children and families have gone through, but I can imagine that family is everything, so I still do not understand the Government’s position on amendment (i) to Government amendment (a) in lieu of Lords amendment 24, which was tabled by the right hon. Member for Normanton, Pontefract and Castleford. Will the Solicitor General look at that again? Why can we not extend the provision to siblings under the age of 18? It would affect so few children, but it would be the final piece of the jigsaw with the Dubs amendment. This is a question of competent government and legislation. When we can legislate for the smallest detail, it can have a real effect on individual people’s lives. The amendment is now near-perfect, and I urge the Solicitor General and the Government to look at this again. In relation to EEA-EFTA, we will have the Trade Bill coming back, and in relation to this question, we will have the immigration Bill, so if we do not succeed today, let there be no doubt that Members on both sides of the House will again push hard to achieve this aim. For me, this is the important missing piece of the jigsaw. One small tweak could make a tremendous difference, and I urge the Government to look at this again.

Mr Pat McFadden (Wolverhampton South East) (Lab): I want to speak to Lords amendment 51 and the amendment to it tabled by those on my own Front Bench. These amendments focus on our future trading economic and financial relationships, and our aims on this side of the House are clear. We want to secure frictionless trade with the EU, and we do not want to see new barriers or a race to the bottom on workers’ rights, environmental standards or consumer rights, and nor do we want a hard border in Northern Ireland. How can
we achieve those aims? My right hon. and learned Friend the Member for Holborn and St Pancras (Keir Starmer) has already said that we are committed to a customs union because, as he also said, a customs union on its own will not achieve those aims. In modern trade, we need to do more than just get rid of tariffs; we need to ensure that multinational supply chains and crucial manufacturing industries—including the automotive and aerospace industries that are so crucial to the west midlands—are not affected by other, non-tariff barriers.

Crucially, 80% of our economy is accounted for by services—we are a country whose economy is dominated by services—and those are governed by common rules and regulations, not by tariffs. In the west midlands alone, service industries account for £93 billion a year of GDP and 74% of our local economy. In the north-west, services account for 75% of the economy and £125 billion. When it comes to trade, we sell over £100 billion of services to the EU every year at a surplus. It is essential to have an agreement that covers both manufacturing and services. The bottom line is that any serious Government must care as much about the creation of wealth as about its fair distribution. That is why these questions are so central.

4.45 pm

Turning to the significant features of the EEA, the first one—this is not a facetious point—is that that agreement exists. It has been in operation for more than 20 years. We have seen countless forms of words from both Front-Bench teams about the “exact same benefits” and other laudable things but, whatever their merits, they do not currently exist. The idea of taking off the table the only existing model of full participation in the single market while not being a member of the European Union would be unwise and rash. The EEA covers both goods and services, as well as workers’ rights and consumer rights. I ask hon. Members, particularly Opposition Members, whether we would rather have those workers’ rights enshrined in an international treaty, or entrusted to the tender care of the members of the European Research Group, who have railed against European regulations for years.

Let me turn to one or two of the common objections to the EEA agreement. On the rule-taker objection, it is of course true that non-EU members do not have as full a say as those who are members, but as we voted to leave the EU, we voted to leave our seat at the table where many such rules are decided. That is not intrinsic to the EEA agreement; it is intrinsic to the decision to leave the EU, and that applies not just to the EEA. As an example of rule taking, look at what the Government are about to do. Next March, we will engage in a transition period during which we will have to abide by the whole acquis without any say, and all the talk of transitions and backstops have been about that. The Government’s decision and the timetable that they have put in place for next year will form the biggest voluntary surrender of national sovereignty in modern European history. That is rule taking.

Wera Hobhouse: Does the right hon. Gentleman agree that it would be extremely irresponsible of any Government to exclude options that could ultimately lead us away from long-term economic decline?

Mr McFadden: I agree. It is irresponsible to exclude options—that is what I am saying.

The second big objection to the EEA agreement is that there is a customs border between Norway and Sweden, but that exists because those nations have chosen not to be in a customs union. It is our policy to be in a customs union. It is not a matter of irreversible legal necessity; it is a matter of choice. Michel Barnier said just two months ago:

“It was the UK’s decision to leave the EU, but it is not obliged to leave the single market and the customs union because it is leaving the EU.”

As my hon. Friend the Member for Pontypridd (Owen Smith) said, Michel Barnier confirmed yesterday that it is open to us to be in both the EEA and the customs union. If Members are against the EEA, they should be against it because of content, but they should not be against it due to spurious arguments about having to choose between the customs union and the EEA. That is not the case.

The situation in Northern Ireland cannot be dealt with purely by being in a customs union, because it requires regulatory convergence on goods and services that are exported. That fact is clear to our sister party, the Social Democratic and Labour party—sadly it is no longer represented in this House—which wrote to us last night with a heartfelt plea to keep the EEA option available and to vote in favour of Lords amendment 51.

Lady Hermon: Will the right hon. Gentleman give way?

Mr McFadden: I cannot give way anymore because so many Members want to speak.

I know that there is a great deal of working-class disaffection behind the Brexit vote, and that people want action on migration and free movement. My right hon. and learned Friend the Member for Holborn and St Pancras read out a list of things we can address, and former Prime Minister Gordon Brown spoke about others in his speech last week. There are things that we can do, and we need to address working-class discontent, but we do not take the first step in doing so by voting for a path of making our country poorer, and of not generating the wealth required for the public services, regeneration, housing, and the better chance in life that our working-class communities need.

Mr Baron: Before speaking in support of Government amendments (a) and (b) in lieu of Lords amendments 1 and 2, to which I have put my name, I will briefly touch on the issue of immigration, which has been mentioned a number of times, particularly by the Scottish nationalists.

My education was very international. I did not return to start my education in this country until the age of 11. I suggest to those who say that Brexiteers tend to be anti-immigration that what many of us want is an immigration system that no longer discriminates against the rest of the world outside the EU. We are getting a little tired of the line that, somehow, we are anti-immigration. We want a controlled immigration policy, but we also want a fair immigration policy.

I suggest to Opposition Members that a controlled immigration policy—one that is fair to all and that no longer discriminates against any particular region—would actually help the wages of many in this country, because wages are a simple function of demand and supply.
If we introduce a system of controlled and fair immigration, as Lord Rose admitted just prior to the referendum when questioned by the Treasury Committee, wages would rise faster but big business may not like it. Labour would be well advised to bear thought on that issue.

In addressing Government amendments (a) and (b) in lieu of Lords amendments 1 and 2, I will focus on the nature of the negotiations themselves. We have discovered today from the right hon. and learned Member for Holborn and St Pancras (Keir Starmer) that the price that Labour is prepared to pay to be part of a customs union or the customs union is to sacrifice the right to negotiate trade deals with other countries outside the EU. That came from the Labour Front-Bench spokesman, and I hope that Ministers take that on board, because it is an important deviation from what the Labour party promised at the last general election.

Putting the referendum to one side for a moment, the Labour party’s manifesto actually said that we will be leaving the customs union and the single market. Labour seems to have conveniently forgotten that point, and we must drill that home because Labour is betraying its policy. Who today are arguing that Parliament should undertake negotiations on those treaties being made by the EU or Michel Barnier as though their words are gospel.

What they should remember is that we are party to a treaty at the time of the European Communities Act 1972, and with the Lisbon treaty, the Nice treaty and so on. I do not remember any argument that Parliament should undervate negotiations on those treaties being made by people who today are arguing that Parliament should dictate the Government’s course of action in international negotiations. There is an absolute contradiction on that policy.

On the business of tying the Government’s hands in the negotiations, those who have conducted any form of negotiation will understand that that makes for worse outcomes. There is no getting away from that point. It also flies in the face of precedent. It is an accepted practice that Governments negotiate treaties, as was the case at the time of the European Communities Act 1972, and with the Lisbon treaty, the Nice treaty and so on. I do not remember any argument that Parliament should undertake negotiations on those treaties being made by people who today are arguing that Parliament should dictate the Government’s course of action in international negotiations. There is an absolute contradiction on that policy.

We often hear those who campaign on this issue, or who challenge the Government’s position, quoting the EU or Michel Barnier as though their words are gospel. What they should remember is that we are party to a negotiation. What is said publicly in a negotiation does not always translate to reality in the negotiation itself, so I do not think that we should take at face value this talk of, “Oh, Michel Barnier said that and therefore it must be true.” Let us have a bit more questioning, talk of, “Oh, Michel Barnier said that and therefore it must be true.” Let us have a bit more questioning.

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Government abolished the Royal Commission on Environmental Pollution and the Sustainable Development Commission in 2011. Previous Governments have form on a watchdog environmental with a scope, remit, powers, independence and money to do the job. It would deal with all failures to implement environmental law. It would have the ability to raise complaints against the Government without the expense of a judicial review, and it would respond to requests from this House to investigate failures to implement environmental law. It would give citizens the ability to apply for an injunction or issue fines. It would order public bodies, and it would respond to requests from this House to investigate failures to implement environmental law. It would have the form and funding necessary to do the job, protected from Ministers who might want to muzzle it in the future.

The Environmental Audit Committee, which I have the honour of chairing, warned a year ago that one third of EU law cannot be cut and pasted into UK law, and that we would be left with zombie legislation, no longer monitored, updated or enforced—and so it came to pass. Amendment (c) is a valiant attempt, but, after the Government’s attempts at cakeism and cherry-picking, there is a dangerous, new and highly addictive food on the parliamentary scene—fudge. We saw how long yesterday’s fudge lasted. It was delicious at the time and did the job, but was inclined to leave the children bickering on the back seat of the car about who got the biggest piece just one hour later. The Environment Secretary said that the environment needs to be protected from the “unscrupulous, unprincipled or careless”. I wonder who he meant. His proposals will not do that, and amendment (c) will not do that, so I urge the Government to accept amendment (e).

Mr Vaizey: It is great to have the opportunity to speak in this important debate. Yesterday’s was very entertaining and we did make a piece of fudge, and I am pleased to say that my side of the House got the biggest piece—I just want to put things beyond any doubt. Of course it was a fudge, because a lot of this is about compromise. Today’s debate is perhaps less entertaining and we did make a piece of fudge, and I am not a dyed-in-the-wool Euro-fanatic, and I echo the spirit of compromise and pragmatism must be injected into the debate.

To a certain extent, I am on repeat mode: I always like to have a bit about free trade deals in my Brexit speeches. We have already heard one speech saying that the EU is absolutely rubbish at free trade deals, but if we look at the large trading blocs’ free trade deals, I think it compares pretty well. It certainly compares well at the moment with the United States, which has come out of the Trans-Pacific Partnership and is bitterly renegotiating the North American Free Trade Agreement. The United States does not have a free trade deal with India or China, so we cannot really castigate the EU. The EU has free trade deals lined up with Japan and Singapore. Indeed, as the trade envoy to Vietnam, my instruction from the Department for International Trade is to secure a trade deal between the EU and Vietnam so that we can piggyback off the back of it.

As I have always said, trade deals are not easy to negotiate, but the EU can hold its head up high. We are often told that the EU holds back developing nations; it does have trade deals with developing nations and encourages them, but it quite rightly expects some give and take—for example, high labour standards, so that there is not unfair competition—and perhaps to have a voice in those countries on issues such as human rights.

I am not a dyed-in-the-wool Euro-fanatic, and I echo what my right hon. and learned Friend the Member for Rushcliffe (Mr Clarke) said when he cited Dan Hannan, because we all know that as a pragmatic Brexiteer, Dan Hannan has said repeatedly that we should try to stay in certain elements of the single market—that is in black and white. The ideology has to be stopped, and we have to look at things. That is not to say that the EU itself cannot reform. It should take Brexit as a signal of how it should be more flexible, and its legally based approach to the negotiations is unhelpful. Although I appreciate
the irony of the Brexiteers who campaigned against Galileo now saying that we should have our own Galileo, for me it is an example of European Union inflexibility. The amendments are important, and I shall continue to listen to the debate. I look forward to further developments.

Chuka Umunna: I rise to speak in support of Lords amendments 1 and 51 on the customs union and the EEA. To be clear, I regard Brexit as rather like the hay fever from which I am currently suffering: it is consistently horrendous and there is very little that can mitigate the appalling effects. But I am absolutely clear that if we are to leave the European Union, the least worst option is for us to continue to participate in those two entities. All the evidence shows that, and many British businesses support it.

The arguments for the customs union have been well made by the Opposition Front Benchers, so I shall concentrate on the EEA. It is not the perfect model—I have never claimed otherwise—but it should be the starting point of any discussion if we say, as both main parties do, that we seek in any deal the exact same benefits as the single market. As has been said, the EU is clear—Michel Barnier said it yesterday—that we can be part of the customs union and the EEA. It is true that we would no longer have a vote on EEA rules at the EU Council; rather, we would be a rule shaper that served on the committees that draw up those rules.

Let us be honest, though: none of that really goes to the heart of where most concern about the EEA lies, which is with immigration and the continuation of some form of freedom of movement. Those are the big issues—the two elephants in the room. I am the son of an immigrant and I represent a constituency in which the majority of families are of an immigrant background, but I acknowledge that many of the communities that the Labour party represents are the opposite.

There is concern about immigration out there; we cannot duck it and we cannot ignore it. If we are honest, views are just as strong, if not stronger, in relation to non-EU immigration as they are in relation to EU immigration. There are parallels between the discontent in some of our traditional seats about EU immigration now and the discontent that there was about the Commonwealth immigration in the 1960s of which my late father was a part. There was, after all, a form of free movement from the Commonwealth until 1971, and there is now, of course, a form of EU free movement and would be if we were in the EEA. I do not deny, and I have never denied, that immigration can pose challenges, both economic and cultural, to communities, but it need not be that way if we implement the right policies.

As has been said, our former Prime Minister Gordon Brown has put forward a six-point package to address some of the concerns and better manage immigration, which includes acting to prevent the undercutting of wages by immigrants; removing newcomers after nine months if they fail to find a job; and putting in place a bigger fund to help mitigate the impact of migration on local communities. However, we need to do far more to help immigrants to integrate into their local communities, to speak English, to learn about the culture and so on. My father was so successful at that that he married an English woman and had mixed-heritage children.

Alberto Costa (South Leicestershire) (Con): My father does not speak perfect English, but I do not know what any integration he could have done when one of his sons is a Member of the British Parliament. Does the hon. Gentleman agree that in all this talk of immigration, we should be very moderate in how we reflect on it? Immigration has been of enormous benefit to the United Kingdom, when his own family and succeeding generations came to this country. Does he agree that British citizens living in Italy and elsewhere also need to be thought of?

Mr Speaker: Let me encourage colleagues, please, to make brief interventions. There is very, very, very little time.

Chuka Umunna: I very much agree with the hon. Gentleman.

All the things I was talking about can be implemented now to better manage migration while we are part of the EEA, and I support them, but what are the real underlying causes of concern here? Not enough decent affordable housing; a shortage of school places; an NHS in crisis; and not enough well-paid and decent jobs. Let us not pretend that all these problems will disappear or be mitigated if we cease participating in the EEA. As hon. Members have said, they will get worse, because there will be less revenue going to the Exchequer to pay for those things.

Those underlying problems are no more the fault of European immigrants now than they were the fault of the Commonwealth citizens who came here in the 1960s and 1970s. Let us make no mistake: people in traditional Labour voting areas were saying exactly the same things about the Windrush generation, about south Asian immigration, and about the likes of my father from west Africa being the cause of our problems way back then, as they do now in respect of EU citizens. Curbing Commonwealth immigration then and ending EU free movement now did not and will not solve these problems, and we know it. That is why Labour Governments have always addressed those problems by properly funding the NHS, by having a national minimum wage, by investing in our schools and so on. That is why I will vote for the amendment tabled by my party’s Front-Bench team, and also for Lords amendment 2.

A colleague came up to me in the Tea Room yesterday. She represents a seat in the north-west and, to my surprise, she told me that she would also be voting for the Lords EEA amendment. I asked her how come she was doing that. Despite the issues and the challenges that I know that she and many of my colleagues have to deal with in respect of that issue, which I do not have to deal with in my own constituency, she said, “Yes, there are big concerns about immigration, certainly compared with your area, Chuka, but the bottom line is that we have nothing like the amount of immigration from the EU or from outside the EU as you do in your constituency. I know that the cause of our problems is not that immigration, so I will not go around saying that I agree with any claim that that is the case, because I know what that will do. It won’t help us deal with any of these problems, but what it will do is deprive people of jobs.” That is why I say to my Labour colleagues that we should not ignore this issue of immigration, but let us deal with the problems and underlying causes in a Labour way. That is what our history dictates.
Several hon. Members rose—

Mr Speaker: Order. A four-minute limit now applies.

Vicky Ford: I will speak about Lords amendment 3, on the environment, as well as the amendments on the customs union and the EEA.

First, let me put this in context. As hon. Members know, I have been in the European Parliament for many years and witnessed many intense times in European negotiations, including the negotiations on the banking crisis and the eurozone crisis. It is utterly normal that all the discussions intensify and accelerate and that new ideas come forward, as the European Council meeting gets closer. That is to be expected; it is normal.

On Second Reading, I made it clear that I thought the Bill was far from perfect and that it would require many amendments. Many amendments have been made, both in this place and in other place. We should not be scared of the need to make amendments because this is legislation of a kind that has never happened before. I have been very glad to add my name to the amendments on environmental protections, which is a very important issue for many of my constituents, who write to me saying that they want to ensure that we keep a long-term focus on protecting the world’s environment.

5.15 pm

I am very glad that the amendments to Lords amendment 25 were passed last night on the issue of Northern Ireland and respecting the Good Friday agreement. It is absolutely fundamental that we hold the United Kingdom together, but that we also respect our international agreements. Passing that amendment on the Good Friday agreement and Northern Ireland is key to finding a solution to customs, because ensuring that our border with Northern Ireland is truly frictionless and that truly frictionless arrangement works for the whole UK is key to finding a long-term solution.

On that basis, I am prepared to accept the amendments in lieu of Lords amendment 1 and 2 on customs union that have been tabled today. The amendments call for further work, because this is not the last time that the issue will come back to this House. I am expecting the Government to deliver a truly frictionless border—one that does not just take the friction from the border and put it back in the warehouse and one that does not mean that companies in Britain or Europe have to face silly bureaucracy with rules of origin. That is the type of detail that manufacturers asked me to secure, and that is what I expect the Government to fight and negotiate for. If we do not see it here, we will put it in the customs Bill.

On the EEA and Norway, I wish it were as easy as colleagues say to stay in the EEA, but I remember Norway’s Minister of Finance flying out to meet me in Brussels to ask me to table amendments for Norway. We could not be left in a situation where our Chancellor has to go and ask a French MEP to do that on his behalf. We have to find a bespoke solution. It is fine to be a rule taker in areas where our issues are aligned, but we cannot have it everywhere. I understand the calls from those who say, “Let’s try and find a lifeboat now, because no deal is not a good deal,” but we need to let the Prime Minister go into this round and negotiate, and she is right to fight for a bespoke deal.

The debate on the meaningful vote last night was meaningful. In my eight years of experience in Europe, I saw again and again that a first vote was needed to make a statement, but it was often not actually the final vote. We often need a second chance to have a vote, and that is what we bought with the compromises last night. It was a fudge, but it was a very important and meaningful one.

Tom Brake (Carshalton and Wallington) (LD): The right hon. Member for Leeds Central (Hilary Benn) used an analogy about the ship approaching the iceberg.

He seemed to suggest that there are only two options: jumping off the side into the freezing cold water or taking to the life raft. There is indeed a third option, which is consulting the passengers about whether they would like to change the direction of the ship to avoid the iceberg in the first place. I hope that that is eventually what this country will do.

The right hon. and learned Member for Holborn and St Pancras (Keir Starmer) criticised the Government for adopting the European Research Group-inspired red lines. We have heard from the Minister that, for instance, the EEA does not pass our test. Well, that is the Government’s test. I cannot remember it being a test on 23 June 2016. Those red lines have led the Government into huge difficulties with the customs partnership. “Max fac” will cost business £20 billion. The Government’s current proposal for the customs arrangements appears on the amendment paper alongside the names of Members including the hon. Member for North East Somerset (Mr Rees-Mogg) and the hon. Member for Wimbledon (Stephen Hammond). Clearly, that is a fudge. As the right hon. and learned Member for Rushcliffe (Mr Clarke), said, those two Members never agree on anything. The fact that an amendment stands in both their names suggests that it will not withstand the heat of the kitchen.

Neither do I think that Labour’s amendment—another huge dollop of fudge—will withstand the heat of the kitchen. I hope that at some point Labour will be able to explain how the UK can have full access to the internal market of the European Union with no new impediments to trade and common rights. Well, good luck with that. I think that is completely unachievable, and that it would be intellectually dishonest for anyone to support it today. Labour cannot have its cake and eat it, any more than the Government can, in relation to our departure from the EU.

The logical conclusion of many of the speeches we have heard today, by sensible Government Ministers and Labour Front Benchers, is that we should stay in the customs union and the EEA or, even better, stay in the customs union and the single market. Why not go the whole hog and simply stay in the European Union? Instead, we have this bizarre situation in which the Prime Minister, when I asked her earlier today whether there was any damage that Brexit could inflict that would cause her to change direction, is unable to say “No, there isn’t.” She said that she is committed to doing this, even though she, who was a remainer—many Government Members were remainers—knows that it will cause huge damage. That is something for which they will be held to account in future, as will Labour Front Benchers, who in many respects are equally complicit in delivering Brexit.
Unfortunately, I do not have time to go into any depth on the other amendments. We will be supporting Lords amendment 5, on the charter of fundamental rights; amendment (e) in lieu of Lords amendment 3, which is about environmental principles; and the family reunion proposal, which is amendment (i) to proposed amendment (a) to Lords amendment 24, because I am afraid the Minister gave no explanation at all why he would not support it.

In conclusion, the whole process for scrutinising these amendments brings shame on the House, and I hope that the much-maligned House of Lords will be able to do a much better job and that it will have much more time for scrutiny than we have been allowed in this Chamber.

Charlie Elphicke (Dover) (Ind): One thing that my constituents in Dover and Deal were absolutely clear about when they decided to vote by a large majority to leave the European Union was the need to take back control of our borders and to end uncontrolled EU immigration—to end free movement. It is not just in my constituency; it is regions across the country, including Labour leave areas, which I know feel the same way. It should therefore be a red line for this House to ensure that, whatever happens, free movement comes to an end, because our constituents up and down the land have been very clear about that.

We must also ensure that we take the full opportunities that leaving the European Union will afford this country. That is why we need to leave the customs union and why we cannot stay in the EEA. The truth is that 90% of future economic growth in this world of ours will come from outside the European Union. In recent decades, the share of global GDP represented by Europe has halved, from about a third to just about 15%. Europe is in relative decline. We do not have to go that way ourselves. We can jump forward to explore, trade and participate in the fast-growing areas of the planet. I am not saying that it will be easy, but it is an instruction that has been given to us by our constituents and by this nation. What is more, when it comes to trade in goods, it is important to remember that the European Union sells us £100 billion more goods than we sell to it. It is therefore in its interests to ensure that there is frictionless trade, more so than it is in our interests.

We need to ensure that we are fully prepared for every eventuality and every single kind of deal that we might do. That is why I am making the case that we need to modernise our systems. We have needed to modernise them for years, so it is no-regrets spending. We should modernise them because the border is no longer as it was in the 1950s, where we checked every lorry; the border is a tax point. With the systems in place that technology now enables, trusted traders could be required to account for their loads and we could ensure that there was no need for any checks at the border whatsoever. That includes Northern Ireland.

Those who are opposed to us leaving the European Union like to cite Northern Ireland, but the truth is that we do not need any infrastructure or any checks at the border. We can have frictionless trade through the border, with checks in workplaces and computer systems that ensure there are proper audits. Singapore has such a single-window system in place, and countries around the world have such systems. We need to take advantage of that, because that is the kind of future we can make, and that is why I have been making the case for that investment to be made.

Anna Soubry: I am grateful to my hon. Friend for giving way. Has he read the report by the Northern Ireland Affairs Committee? Members of that Committee went all around the world and could not find anywhere where there was the frictionless trade of which he speaks. They include a number of leavers, but they came to that conclusion. He has to face up to that reality and tell us how he will to deliver the borders of which he speaks.

Charlie Elphicke: That is exactly why I have been setting out the case for how we can use technology and these sorts of system, with a trusted traders scheme, and how we can build on the WTO’s trade facilitation agreement, to which the European Union has signed up. We should be making this investment—we should have been making this investment many years ago.

Mr Alister Jack (Dumfries and Galloway) (Con): On either side of the Irish border, excise duties are different, VAT is different and the currency is different, and we have had a common travel area since 1923. Does my hon. Friend agree that there is no need to have friction with trade if we have a free trade agreement?

Charlie Elphicke: My hon. Friend makes the perfect case, and it is the case I have made in a report in which I set out how we can achieve that and manage it positively. We need to use technology and to engage with European member states across the water. After all, customs arrangements and the accounting of customs are not done by Brussels; they are bilateral. We can have bilateral discussions with the French and with the Belgians at the port of Zeebrugge. We must realise that there is no need to have a search point at the border and that the border is a tax point. That is the essential point, and it is the same in Northern Ireland.

That is why I am personally confident that we can and should invest in this. That means investing properly in the road infrastructure on the way to the channel ports and investing properly in computer systems. It means investing in systems to ensure that checks can be carried out away from the border. It is no-regrets spending, and that is why the Government should be making that investment now, not waiting for whatever the deal is to do it.

Caroline Flint: Since the referendum, the debate has often been polarised in this place and outside it between hard-line Brexiteers who feel that we can walk away without a deal and walk off a cliff edge, and hard-line remainers who do not accept the result of the referendum and want to find whatever way possible to stay in the EU. That is why I am not supporting Lords amendment 51. The essential choice for Parliament is whether we accept the outcome of the referendum and the article 50 process and agree that the UK leaves the European Union in March 2019, or whether we seek to subvert that process. Perhaps the Norway option—the European economic area—suits that purpose.

The EEA agreement helped three small countries that could not persuade their people to adopt EU membership and that accepted having no say in return
for single market membership. They accepted the role of rule takers, not rule makers, with second-class membership of the European Union. Much has been said about Michel Barnier saying this morning that he will give us membership of the EEA plus the customs union. Of course he would—he would bite off the Prime Minister’s hand for that deal, because apart from leaving without any deal, it is the worst deal for the United Kingdom.

Anna Soubry: Shame!

Caroline Flint: The right hon. Lady says, “Shame!” I am afraid to say that it is that sort of contribution to this debate that is so unhelpful and divisive, because we have to reach consensus on the way ahead. I believe that we have to be as close as possible to the single market and that there should be a customs arrangement. Importantly, however, I recognise that there is an issue of immigration, which has been overlooked for at least 15 years, since we first let in the A8 countries. I am afraid that the right hon. Lady does not reflect that on behalf of her constituents.

Anna Soubry: I am sorry, Mr Speaker, because I know it is a courtesy to say so, but it is not a pleasure to follow the right hon. Member for Don Valley (Caroline Flint). I have admired her for many years, but I found that one of the saddest speeches I have ever heard.

Mr Speaker: Order. I appeal to colleagues. I understand there are raging passions on these issues, but please let us try to treat each other with respect. Other Members are right hon. and hon. Members who happen to hold opinions that differ.

Anna Soubry: As you will remember, Mr Speaker, I said how much I respect the right hon. Lady for so much of her work, but on this I profoundly disagree with her.

I will be voting for the very good amendment—Lords amendment 51—written and beautifully advocated by the noble Lord Kerr. I urge hon. Members to read it, because I agree with everything it says about the value of a customs union. In due course, the Bill about a customs arrangement will come back to the House. I ask British businesses to write to their local MP to explain why it is so important, just as my right hon. Friend the Member for Wantage (Mr Vaizey) said that one of his businesses had explained to him in good, simple, plain terms why having a customs arrangement is so important to his constituents, their jobs and the future of their children and grandchildren.

I will be voting for the EEA amendment because, as I have said many times in this place, I believe in the value of the single market. I say to the right hon. Member for Don Valley that I am appalled that she, as a member of the Labour party, has stood up and shown that she does not understand and appreciate the considerable value that immigrants have brought to our country. These are human beings—[Interruption.] I will take an intervention when I want—I am not afraid of a debate, and I will take one now.

Caroline Flint: I would urge the right hon. Lady to look at the record in Hansard. I made it very clear that I am not against all immigration, and I also said very clearly that nor are my constituents, but they want to feel that we have better systems in place and that immigration is fair and managed, and that is something they have not felt for a long time.

Anna Soubry: The right hon. Lady represents an area of the country that I know quite well; I am from north Nottinghamshire—from Worksop—and I also represent the constituency of Broxtowe. It is often quite peculiarly unique, and perhaps a little bizarre, that those who complain most about immigration are in areas where there is actually very little of it. That is the point: it is
[Anna Soubry]

about the fear of the stranger—the fear of the unknown—and we have a duty as Members of Parliament to make the positive case in our constituencies for immigration and to have these debates with our constituents.

It is true, and I agree, that in some parts of our country a large number of people have come in, but these are invariably Polish people, Latvians and Lithuanians who do the work that, in reality, our own constituents will not do. It is a myth that there is an army of people sitting at home desperately wanting to do jobs. The truth of the matter is that we have full employment, and we do control immigration. How do we control it? It is called the market. Overwhelmingly, people come here to work. When we do not have the jobs, they simply do not come.

Now, it is right, and I agree—this is a sad legacy of previous Labour Governments—that there has not been the investment in skills that this Government are now making, and they have a proud record on apprenticeships, by way of example. However, I say to the right hon. Lady that she must speak to the businesses in her constituency, and she must ask them, “Who are these people? Where have they come from? Why have you not employed locally?” I have done that with the businesses in my constituency, and some have told me that they have probably broken the law. They have gone out deliberately and absolutely clearly to recruit local people, and they have found that, with very few exceptions, they have been unable to fill the vacancies. They take grave exception to anybody who says that they undercut in their wages or do not offer people great opportunities. It is a myth, as I say, that there are armies of people wanting to work who cannot work because of immigration.

The huge danger of the argument being advanced by some Opposition Members, as the hon. Member for Streatham (Chuka Umunna) said, is that people play into a narrative that, instead of looking at other factors in life, turns to the stranger and—history tells us the danger of doing this—blames the foreigner, the unknown and the person with a different coloured skin or a different accent, when there are actually other reasons for the discontents and the problems people have in their lives.

I say to Opposition Members that they should be proud of their fine tradition. What they should be doing is making the case for immigration and then saying this: “Suck it up!” No alternative has been advanced in this place other than the customs union and the single market. Let’s grab it—let’s do it and move on.

Hywel Williams (Arfon) (PC): It is a pleasure to follow the right hon. Member for Broxtowe (Anna Soubry). I rise to speak to Plaid Cymru’s amendments to Lords amendment 2, which would clarify that “a customs union” was the customs union. Plaid Cymru campaigned to remain, and we have been consistent in our support for remaining within the customs union and the single market and, for that matter, for looking at the EEA.

The Government and the Labour party are facing some pretty difficult problems, and that is because reality is intruding. Labour is split, as the Secretary of State said the other day, and I am sure we all marvelled yesterday at the bit of negotiation in the Chamber between the Solicitor General and the former Attorney General, the right hon. and learned Member for Beaconsfield (Mr Grieve). That shows me that both parties are intent on pursuing their own internal conversations as well as the matter in hand.

It is not quite one minute to midnight, but it is pretty close. Our European interlocutors are asking us to tell them what we want and they are still not getting an answer. I can say that for industry in Wales, for universities in Wales and for health in Wales, we certainly need an answer, and pretty sharply too. The question for us is this: what is happening in respect of divergence as time progresses? We are getting no real answers.

Last night, I was here late and I took a taxi home. On the way, I asked the taxi driver what he thought of yesterday’s proceedings. His answer, predictably, was, “Why haven’t we left yet? Just get on with it.” I then asked him what he would do about the Land Rover jobs and the problems with the Galileo programme, at which point he said, “You’re from Wales aren’t you? I went up Snowdon once.” That suggests to me that he has a promising career ahead of him as a Brexit MP evading the real questions that face us.

As I said in an earlier intervention, the arrangements for the north-south border in Ireland will be very instructive for the arrangements between the EU and the United Kingdom in general. We will see the adoption of certain north-south arrangements, which will inevitably mean that they are adopted in the rest of the UK. I think all Unionists would agree with me in that respect. I asked Pascal Lammy, when he gave evidence to the Brexit Committee, if he knew of any two countries with two customs regimes for different parts of their states. Of course, he said no. To me, that means the arrangements between Dublin and Belfast will be the same as the arrangements between Dublin and Holyhead, and for that matter between Dover and Boulogne. By the way, he was also asked about the effect of having no controls at all, which has been suggested by some Conservative Members. Quite reasonably, he said that abandoning all controls means we would have nothing to bargain with in trade negotiations.

We have heard of a cake Brexit, a red, white and blue Brexit, a hard Brexit, a Brexit for jobs and a green Brexit. My suggestion is for a Welsh cake Brexit, which would entail staying in the single market and the customs union. We have been consistently in favour of that, and it would suit our economy and the requirements we have for health, industry, universities and so on.

Today, the Labour party has an opportunity to defeat the Government. I think we would all love to see that. Instead, however, it seems to have decided to try to water down the Lords amendments and pave the way, eventually, for the Tories to steamroller through a hard Brexit. I do not think we will be supporting them in that.

Richard Benyon: This may sound breathtakingly naive to some Members, but I think there is an opportunity to reboot the debate on immigration. I think what concerned many of our constituents was the inability to control the numbers coming in. Now that they, rightly, believe there is an opportunity to have that control, it is up to us, on all sides of the House, to make the case for the reasoned and controlled immigration from which our economy and society benefits.
I rise to talk about environmental measures. In all the weighty subjects discussed today, some may say that is a trivial issue by comparison. I would say that it is not trivial at all: it is about the air we breathe, the rivers from which we get our drinking water and the kind of society we bequeath to future generations. The hon. Member for Wakefield (Mary Creagh), who is sadly not in her place, is a magnificent champion of the environment. She and I started on this issue from exactly the same point: we felt there was a lacuna, a vast hole or governance gap as some have called it, in the Bill.

In my few remarks on Second Reading, I talked about the importance of putting into British law the regulations and laws that have seen our beaches cleaned up and our rivers start to get to a stage where we can be proud of them, where they are achieving what they are supposed to as functioning ecosystems. We are protecting landscapes and doing something to reverse the disaster, the tragedy and the crisis of species decline. We need to replicate, in a bespoke British way, the kind of measures we have benefited from in recent years. The Lords had a pretty good pitch at it, but there were flaws in their amendment.

5.45 pm
I want to take this opportunity, which might be my last, to say that what we have done here is scrutiny. We have done our job. We as politicians and Members of Parliament have held the Government to account and scrutinised the Bill. This is not some fifth-column activity, as one peer said, or a betrayal of Brexit. This is improving the Bill. The crucial environmental principles will be in the Bill thanks to the amendment tabled by my right hon. Friend the Member for West Dorset (Sir Oliver Letwin), which I am happy to be associated with and for which we have the Government’s agreement, the Secretary of State having now signed it.

Not only does new subsection (2) set out the principles on which our environmental protections have been laid, but we have a detailed description of what this public body will look like. The crucial point, however, and the one where I differ from the hon. Member for Wakefield, and perhaps the hon. Member for Brighton, Pavilion (Caroline Lucas), is that the amendment sets a framework on which we can build, as legislators, under future legislation, such as the environmental governance Bill that the Government have announced will soon be laid before Parliament. I think we have got it right, therefore, and I urge Members to support amendment (c) in lieu of Lords amendment 3.

Alison McGovern: I rise to speak in favour of Lords amendment 51, on the EEA. I will focus on the main argument against the EEA and its single market, which I believe to be free movement and immigration more broadly, but I will not argue that the EEA is a perfect arrangement for our country after Brexit. It has its flaws—many have already been highlighted—but although I am not blind to those flaws, I am not blind either to the reality that our country finds itself in today. If there is one message from my contribution, it is that we do not have the luxury of choosing between perfect options. It is time to engage with the real choices.

There will be colleagues on the Labour Benches who disagree with my position, and there will be those who still do not know what to think. That is okay—we are all entitled to our views—but there is one opinion that unites Labour Members, the country and perhaps even Government Members: the Government are making a royal mess of Brexit. That is the central fact from which all our decisions must follow.

The Labour Front-Bench amendment to the Lords amendment has many merits, and I sincerely thank my right hon. and learned Friend the Member for Holborn and St Pancras (Keir Starmer) and his team for how they have engaged on this issue. They do not have an easy job, but the way they carry it out is a credit to each of them. Their position today would have been an excellent place for a Labour Government to start the negotiations, but I say gently to colleagues that we are not at the start of the negotiations. We are nearly at the end, and our choice will be either to accept or reject a Tory Brexit deal that will tear up many of the economic relationships that have made this country strong, impose new border arrangements in Ireland, pull us out of key agencies and regulations, and leave us scrabbling to put in place new arrangements for which the Government have totally failed to plan.

In rejecting that deal, we will need to propose an alternative that is realistic within the timeframe, and that is where I have a slight difference with Labour Front Benchers, because their amendment is not quite enough. It leaves too many questions unanswered. The EEA as a backstop is appealing not because it is perfect in itself, but because it is infinitely preferable to a Tory deal or no deal. It is just not likely that other options will be deliverable in the time we have.

I turn now to immigration. I am a supporter of immigration and believe it has made us strong. To move to another country to work and live is a fundamentally decent, dignified and brave thing to do—it is the story of my family and the story of our country—but I understand the hesitation of many colleagues. It would be a rare Labour MP who did not understand the strength of feeling that exists in many parts of the country about levels of migration and the perceived lack of controls. I understand that many Members here are just trying to represent their constituents’ views, and that is to their credit, but I would say to those who are hesitating, “Yes, the EEA may be uncomfortable, but it is significantly less uncomfortable than any of the other realistic approaches that are available.” The reality is that a complete red line on free movement will put us on a road that leads to support for either a Tory hard Brexit deal or a no-deal Brexit, and I do not think that that is a road that we want to go down.

Ultimately, this comes down to one question: does concern about immigration trump all other concerns? We must ask ourselves, very honestly, whether it is worth shutting ourselves off from the rest of Europe to deal with the problems of immigration in this country. I do not believe that it is, and that is why I will be supporting Lords amendment 51.

Andrew Percy: So far, I have not put in my twopenn’orth at any stage of the Bill, largely because I believed the assurances from both parties at the time of the general election that the votes of my constituents would be respected. As I said in an intervention, nearly 70% of them voted to leave the European Union, and I believed that the vote by the country to leave the EU would also be respected. What is clear from this afternoon’s
debate—it was clear from proceedings in another place—is that some people are intent on wrecking and overturning that result. There is no doubt about that.

I want to focus on the EEA and the customs union, but first I want to say a little about immigration. A smear has repeatedly been used against my constituents and the people of this country who dared to vote against the political class and against the establishment by voting leave. That smear is that the people who voted leave did so on the basis of some racist, anti-foreigner sentiment. My constituents voted leave, and my constituents are not racists. They are not people who have a problem with immigration; they are people who have been subjected to, and have been at the receiving end of, large amounts of immigration—particularly from the European Union—over a very short period, and that has had a big impact on our community.

My constituents do not resent those who have come to this country. If I walk through Goole, for instance, they say to me, “The people who have come here have worked really hard, but there is no doubt that immigration has put pressure on our housing, has made it easier to access public services, has put pressure on our health services.” My constituents do not want to see those people leave the United Kingdom, but they want to know that there is a system that controls immigration properly.

I want us to go out and make the argument for immigration once we have left the European Union. As the right hon. Member for Don Valley (Caroline Flint) pointed out, we can make the case for it only once we have some control over it, so that the public know that their elected representatives are the people who will determine the appropriate net migration and immigration figures for each year. That is what countries such as Canada, Australia or New Zealand manage to do.

I am sick of hearing the suggestion—we have heard it again today—that people who voted for Brexit only did so because of immigration, and that that was only because they were racist. I am also sick of hearing the suggestion—we have heard this today as well—that they were voting for the country in—there is no doubt about that—“and has put huge pressure on our health services.” My constituents do not want to see those people leave the United Kingdom, but they want to know that there is a system that controls immigration properly.

I want to focus on the EEA and the customs union. In Knowsley we voted to leave in almost exactly the same proportion as the rest of the country. However, over the past week or so, constituents who have contacted me have wanted me to vote for all the Lords amendments, which I do not intend to do. Some wanted me to vote down all the Lords amendments, although there was a slight majority on this occasion for supporting the Lords amendments, and therefore presumably for a remain-type position.

I have consulted businesses. A business roundtable organised by the Knowsley chamber of commerce last Friday was a really interesting event. Most of the 10 businesses that attended were involved in trade with Europe, in one way or another—either by exporting or by importing raw materials. What they had to say was fascinating.

I will say a word about immigration. I almost always agree with my right hon. Friend the Member for Wirral South (Alison McGovern) about the concern he raises and I share it.

Mr Howarth: Quite right.

Mr Howarth: Mainly out of fear. My right hon. Friend had a point, in that we do need a much better managed migration process in this country, but some of the businesses I spoke to in Knowsley said they rely on skills that simply are not available in this country, such as specialist engineering and construction skills. If we cannot fill those vacancies without some migrant labour for particular skills, we cannot create the wealth that would otherwise be created.

Mr Bradshaw: Is my right hon. Friend aware that there is great concern in our food production sector right now that crops, fruit, vegetables and other produce will not be harvested this season because of the chronic shortage of migrant labour to pick it?

Mr Howarth: My right hon. Friend is right. As he will appreciate, we are not an agricultural community in Knowsley, although we do have some farms and we have the estates of the Earls of Derby. However, I know about the concern he raises and I share it.

Having listened to what businesses and my constituents say, I now must make a choice about which, if any, of the amendments to support. I agree with my hon. Friend the Member for Wirral South (Alison McGovern) about the amendment on the customs union tabled by
my right hon. and learned Friend the Member for Holborn and St Pancras (Keir Starmer). I am happy and comfortable to support it, and that fulfils one of my obligations to my constituents and businesses in my constituency. However, I also feel that I need to go further and support the EEA Lords amendment. I will refrain from using the analogy employed by my right hon. Friend the Member for Leeds Central (Hilary Benn) about sinking boats and lifeboats, because I am supporting it on a slightly more practical belt-and-braces basis—if one approach does not succeed, we might have the other to fall back on.

I believe that there are practical implications for businesses, and therefore for jobs, if we do not address some of the concerns that businesses have. All we have at the moment are aspirations from the Government. Some of them are lofty aspirations, but we need more than that—we need hard solutions to the real problems that we are going to be confronted with.

Mr Djanogly: A key question coming out of today is whether we wish to deal with the customs union and EEA issues now in this Bill or later, in the Trade Bill and the customs Bill, after the June EU summit. As things stand, there are reasons for immediate concern. We were promised a White Paper, planned for a few weeks ago. Not only has it not materialised but we are now being told that it will not appear until after the June EU meeting, when I thought the main negotiations were meant to be happening. Let us not forget that we are meant to be signing a deal in November, which is only five months away.

6 pm

It is always a challenge in Brexit negotiations to decipher what is going on, but as I see it, the Government seem still to be arguing for a customs partnership with a high degree of single market regulatory access that would fall somewhere short of the EEA. Along with that, there would be the customs backstop proposal, which itself would need some form of regulatory agreement in order to work. It is clearly impossible to go firm on an opinion on this, but I would venture to say that we seem to be heading towards something that is in the realms of an acceptable final deal—appreciating as I do the fact that no one is going to get everything that they want.

On that basis, I accept that now is not the time to be mandating the Government to join the EEA under the terms of Lords amendment 51. If negotiations fail, or if they seem to be going nowhere after the June EU meeting, this would be an appropriate issue to be decided in the Trade Bill. Until that point, however, the Prime Minister should be given the chance to negotiate fully and to come back with her proposals for us to consider.

Andy Slaughter (Hammersmith) (Lab): One reason why we need to make a decision now is that businesses are already relocating. International broadcasting contributes £1 billion to this country and it is prominent in my constituency. It dominates Europe, and it will move to Europe because it will not be able to get the licences that it needs in this country. That is happening now. We cannot wait three or six months.

Mr Djanogly: I accept that business wants consistency and answers, and that it wants to know which way it is heading. However, even under the amendment it would not have that, so I still say that we should stick with the Prime Minister, who has her plan.

The Lords amendment on the customs union is a more complicated scenario, as it does not mandate us to join a customs union, as the amendment to the Trade Bill would. Rather, the Lords’ proposal in this Bill is simply that a Minister should lay a report outlining the steps taken to negotiate a customs union. In theory, therefore, the Minister could comply simply by reporting that steps had been taken, even though they were leading nowhere. On the other hand, I appreciate that having this amendment would give some comfort that the Government had not written off a customs union as a fall-back if Brussels were to reject the Prime Minister’s proposals. It also makes a statement that this House rejects the concept of a hard Brexit—a lesson that needs to be understood by many Members of this House.

However, it has been put to us by the Prime Minister that any vote on this issue will, in her opinion, seriously undermine her negotiating position in Brussels. I was told directly that such an amendment could lead Mr Barnier to throw out the Government’s negotiating proposals on the basis that the EU could say that it was being manipulated by them. I would dispute that interpretation, but I also accept that it is ultimately the Prime Minister who is going to negotiate for us on what I believe will be a fair basis.

Furthermore I recognise the Government’s concession a couple of days ago, after no little debate, in allowing the Lords amendment if the words “customs union” were changed to “customs arrangement”. That also needs to be put into the context of the Government’s concession on Northern Ireland in the amendments to Lords amendment 88. Importantly, those amendments require everyone to act with regard to the December 2017 UK-EU joint report. So I suggest that, if we add the “customs arrangement” wording to the Irish compromise in the joint report, which will need to be applied throughout the UK, and throw in the Irish backstop proposals for good measure, we will be much closer to a customs arrangement resembling a customs union than we were before. I note that the right hon. and learned Member for Holborn and St Pancras (Keir Starmer) and various other hon. Members have made the same point.

For all those reasons, and despite all the confusion, the lack of policy and the Brexiteer antics, I have decided to back the Prime Minister in her June EU meetings, and I will vote with the Government on these amendments.

Caroline Lucas: I rise to put on the record my support for all seven still contested Lords amendments, but given that we are so short of time I will primarily focus on Lords amendment 3 and the environment. I am surprised that the Government have not accepted the amendment given that all it does is seek to give effect to the Government’s own much-vaunted environmental ambitions. In a written statement to the House in January, the Secretary of State for Environment, Food and Rural Affairs explained that the Government’s 25-year environment plan will be underpinned by “a world-leading environmental watchdog, an independent, statutory body, to hold Government to account for upholding environmental standards.”
To me, that means at least a watchdog with a bite as well as a bark, not a toothless, neutered, three-legged mutt of a watchdog that cannot even impose financial penalties, much less launch legal action. However, that was all that the Environment Secretary’s overhyped and deeply underwhelming consultation was able to offer when it was belatedly published on 10 May.

Lords amendment 3 seeks to give the watchdog at least a few teeth by giving effect to the claim repeated by Government Members that withdrawal from the EU will not lead to any dilution of environmental standards. Given that, I genuinely do not understand why the Government are objecting to the Lords amendment and instead supporting amendment (a) in lieu, which represents a significant watering down of what the Lords amendment contains.

The amendment in lieu makes no provision to guarantee the independence of the environment watchdog, so we may well end up with a green poodle, not a green watchdog. We need clear guarantees that the replacements for the Commission and the European Court of Justice will be protected from Ministers’ whims. The amendment in lieu massively limits the watchdog’s remit. By deleting the overwhelming subsection (1) of the Lords amendment, we will lose all the essential requirements for the Government not to remove or reduce any of the rights, powers, liabilities, obligations, remedies and procedures that currently contribute to the protection and, crucially, the improvement of our environment. For example, there is no explicit guarantee that we will have a freely accessible citizens’ complaint mechanism. All such things are all vital components of an effective governance system for protecting the environment. They are not optional add-ons to this lazy attempt at standing up for nature.

As I mentioned earlier, the amendment in lieu limits the scope of the watchdog to central Government, which is absurd given that local authorities are so much responsible for areas of compliance. Ministers would be compelled only to have regard to vital environmental principles, not to act in accordance with them. All those things are good reasons to have grave concerns about this weakening of Lords amendment 3 and to say to the Government that we are running out of time to get the joined-up approach to the environment that they have promised us.

In the minute I have left, I want to make a comment about the single market and customs union. It is notable that every single economic scenario that the Government have produced shows a country that will be worse off by leaving the EU. The only real protection for jobs and prosperity is staying in the single market and the customs union, which is also the only way of achieving a frictionless border in Northern Ireland. It is quite extraordinary to see the Government proudly and loudly leading the country to a poorer future, and it is almost as extraordinary to see the shadow Front-Bench team pretty much complicit in that. The Opposition’s amendment (a) to Lords amendment 51 would not be accepted by the EU and they know it, so I make this plea: do not give this shambles of a Tory Government a free pass to a hard Brexit. It is not too late to reconsider and to back Lords amendment 51.

Several hon. Members rose—

Mr Speaker: Order. A three-minute limit now applies.

Mr Harper: It was a pleasure to listen to the thoughtful and considered speech of the right hon. Member for Don Valley (Caroline Flint). She made some sensible points about immigration, on which I will focus in my remarks. Many Members have spoken in favour of joining the EEA but, as I said briefly at Prime Minister’s questions, immigration was one of the most important issues that decided the referendum result, so we need to take that into account. Like the right hon. Lady and my hon. Friend the Member for Brigg and Goole (Andrew Percy), I want immigration, but I want immigration to be controlled by Parliament. I want us to decide that we want people with the skills and talents that will make a contribution and increase this country’s wealth, and they will be welcomed as a result. Immigrants themselves often want a properly controlled immigration system, because they know that they will be welcomed, they will be supported and they will not be scapegoated, as happens when we lose control of the system. The voters told us that they do not want a system in which we have no control, or very little control, over who comes to our country.

Tom Tugendhat (Tonbridge and Malling) (Con): Will my right hon. Friend give way?

Mr Harper: I will not give way. You are trying to get everyone in, Mr Speaker, and I will try to help you.

I have listened to a number of contributions. Those who think the European Union will fundamentally renegotiate free movement are living in another world. I worked closely with the former Prime Minister David Cameron when he tried to renegotiate the terms of our membership, and he worked incredibly hard with every single European leader to try to get some movement on free movement, because he knew how important that would be to the case he was going to argue for our staying in the European Union. I have to tell colleagues on both sides of the House that, frankly, those European leaders were not willing to engage seriously with David Cameron on any meaningful reform. If they had, I suspect the country would have made a different decision. Even with our country having made that decision, European leaders are still not prepared to make any meaningful reform. They might talk about little tiny tweaks here or there that will not make any significant difference, but meaningful reform is not going to happen.

We should not think the EEA is a solution, and we should control our immigration policy. We can then have a generous policy, and we can argue for what we think is the right shape for our immigration policy. That is why I oppose Lords amendment 51 on joining the EEA, and why I support the sensible approach that the Government have set out.

Phil Wilson (Sedgefield) (Lab): I want to say a few words in favour of Lords amendment 51 on the European economic area.

Staying in the single market and the customs union is critical to jobs and prosperity. Trade figures published only last week show that 62.3% of the north-east’s exports go to the EU. The president of the CBI has said today that the UK car industry is facing extinction. Such comments should worry us all, but they should
send a chill around every community in the north-east of England. The north-east is home to Nissan, which exports many of the cars it builds. It directly employs around 6,500 people, with more than 25,000 people employed in the supply chain. Everyone in the north-east knows someone who does something for Nissan.

I have never been one of those who say that companies like Nissan will close on Brexit day, but I worry about the long-term investment opportunities in industry in my region. In the north-east we know what happens when an industry is faced with slow but inevitable extinction.

Bridget Phillipson (Houghton and Sunderland South) (Lab): The north-east has been neglected for far too long. Much of what needs to be done in our region could be addressed by our own domestic Government if they chose to do so. Does my hon. Friend share my concern that, if we crash out of the European Union with an extreme form of Brexit, the people we represent will be poorer as a result?

Phil Wilson: My hon. Friend is absolutely right. She knows from her experience as a north-east Member of Parliament that Europe has been very good to the north-east of England as far as trade is concerned and in the investment we have had into the region from the EU.

The coal industry once dominated the north-east of England. Today, all the pits have closed, but they did not close overnight. The dozens of collieries that closed did so over several decades because their reserves were depleted and because of the lack of investment.

My father was twice made redundant because the collieries he worked down closed over the space of a decade. Just like Nissan today, and probably more so, back then everyone knew somebody who worked down the pits or at the National Coal Board. With the closure of the coalmines, communities were left behind. Some have not recovered, and the resentments they harbour played into the Brexit vote. There is a message in that for the decisions we are making now on the post-Brexit future. Therefore, with 62% of our trade being with the EU, it would be a catastrophic mistake to put up barriers to trade if we can avoid it, and I believe the EEA amendment would help to avoid it. The vast majority of Labour MPs in the north-east knew what the economic consequences would be, and the majority of us campaigned to remain in the EU. The vote went the other way, but the economic consequences of leaving remain the same, as do the grievances in some of our communities.

6.15 pm

The Government’s own economic impact assessments for the north-east portray a major reduction in our region’s GDP and economic growth in the coming years, whatever the deal. I do not know how making people poorer will lift the grievances felt in some of our communities. Surely they will stay, and I fear that our communities will look for even more simple answers to complicated issues when Brexit turns out not to be the panacea that people believe it to be. The Government have estimated that the difference in public borrowing between an EEA-type agreement and from a free trade agreement is about £38 billion a year. If we are prepared to borrow that much every year, why can we not be in the EEA and use that money to invest in our communities that we love so much? I will be supporting Lords amendment 51 today.

Craig Mackinlay (South Thanet) (Con): I will confine my comments to the EEA and customs union. We have heard just about every side of the spectrum from the Opposition today: some want the EEA; some want the customs union; and some want both. So I am none the wiser now about exactly where the Labour party currently sits on this issue than I was at the start of the debate five hours ago, but what is clear for many is that it is a barely disguised attempt to keep Britain in the European Union in all but name. It is a barely disguised attempt to say to the 17.4 million people and to the 66% of constituencies across this country, “You were wrong. You little people did not know what you were doing and we know best.” I am sorry but the people of this country do know best. They knew what they were voting for, and that means leaving the customs union and the single market and gaining control of our laws, borders and money.

What is the reality of customs union membership? The EU has some of the most complicated trade schedules in the world. Why? Because it is a protectionist organisation. It is there to protect the food producers of France and Spain and the industrialists of Italy and Germany. If we were to join the customs union, we would be accepting in perpetuity whatever the EU decided to do for us. We would no longer ever be able to seek free trade arrangements or new trade deals around the world. We would be dragged into whatever trade war the EU might like to commence around this world, and we would have no voice—we would be able to do nothing about it.

There is a phrase that has not been said this afternoon, and that is vassal state. That is exactly what many Opposition Members would like us to become. We all have a view on the Department for International Development, but one thing is true: aid can work, and it often does, but what really works is trade. It has taken 1 billion people out of poverty around the planet over a generation. Peculiarly, the customs union has managed to do two unique things. It has managed to impoverish the poorest in this world by imposing trade barriers, and it has managed to force the poorest in this country—those on the lowest pay—to pay higher amounts for international goods that we do not produce ourselves, including footwear and food. Let us not slip into the customs union, because the single market will follow and it will mean not leaving the EU.

Emma Reynolds: I will focus my remarks on the customs union and the single market. There may well be differences of opinion on our Benches, but I respect all my right hon. and hon. Friends; I know they are trying to do the right thing by the country and by their constituents. But our differences are nothing compared with the divisions on the Government Benches, and it is a bit rich of the hon. Member for South Thanet (Craig Mackinlay) to lecture us on being divided.

The truth is that the Government are making a huge mess of Brexit. Two years after the referendum, we still do not know what their position is. The truth is that kicking the can down the road cannot continue to be
[Emma Reynolds]

the Government’s strategy. The clock is ticking and time is running out; we cannot leave everything to the October summit.

I shall vote in favour of the customs union amendments because I believe that to remain in it is vital to manufacturing. Jaguar Land Rover is on the border of my constituency and has recently announced job cuts and the movement of facilities to Slovakia, which I am very concerned about; those announcements were partly down to concerns about Brexit uncertainty.

Today, the CBI president warned that manufacturing sectors, including the car industry, will face extinction if we leave the customs union. He also said:

“There’s zero evidence that independent trade deals will provide any economic benefit to the UK that’s material.”

That is borne out by the Government’s own leaked economic analysis. In trade, geography matters. The EU is on our doorstep and our economy is deeply integrated with its economy.

That brings me to Lords amendment 51 and the Labour Front-Bench amendment (a) to it, both of which I shall support, after careful consideration. These may be complex issues—as a member of the Brexit Select Committee, I have spent many hours hearing evidence about the customs union, the single market, the EEA and the other different models—but my approach to this question is simple: the economy has to come first. The economics are clear, and I feel I have a duty to prioritise jobs, livelihoods and public services for my constituents. I acknowledge that the EEA is not perfect, but, for the minute, the combination of the EEA and the customs union is the only way to avoid a hard border on the island of Ireland.

I acknowledge that my constituents and others have serious and sincere concerns about immigration, but another motivation for voting leave among people in my constituency was a sense that the economy is not working for them. We need a new settlement for working-class communities in our country. We need targeted investment in public services in areas such as mine. We need more teachers in schools and much better early years childcare. Austerity was one reason why we lost the referendum; people really do feel that their economy is not working for them.

Robert Neill (Bromley and Chislehurst) (Con): I think a bit of a reality check is happening in the House and in the country. There was realism from the Government yesterday and good progress in several areas, which I welcome. There must also be a reality check about what happens next.

The vote to leave the European Union was purely that: a vote to leave the political institutions. That is all that it said on the ballot paper. It said nothing else. I respect that mandate, but it is the right of Parliament, working with the Government, to have a say in how we deliver that and what our future relationship is. My test for that is twofold. First, in every circumstance, we must protect the integrity of the Union of Great Britain and Northern Ireland. As far as I am concerned, that is more important than anything, including referendum results. I believe that the Government have got that message, and the very important step that was taken yesterday meets that test. I support the Government on that, but we must make sure that it is delivered in practice, with no hard border.

Secondly, my other test is to make sure that we look after the economic wellbeing of my constituents and the public services on which they depend. I do not favour some kind of ideological Brexit. There is an attempt to hijack the referendum result in pursuit of a very narrow, ideological version. That is not the pragmatic version that I, as a Conservative, believe in. I am a pragmatist because I am a pragmatist. I listen to voices of business and want to put business and jobs at the centre of Brexit.

The customs union is not perfect and I shall not support the EEA amendments tonight, because this is not the Bill for them—this Bill is about process and getting the statute book right—but I say to the Government that the time to have that debate is when we return to the Trade Bill, an amendment to which I have put my name to, along with other Members. If a practical outcome involves something that looks like a union—call it an arrangement; I do not mind—I want to give the Prime Minister the flexibility to achieve that. She is entitled to time to try to achieve that between now and June, so I shall support the Government in all tonight’s votes.

On the legal matters, I am persuaded. It was a great difficulty to have to choose between my right hon. and learned Friend the Member for Beaconsfield (Mr Grieve) and my hon. and learned Friend the Solicitor General. On balance, I am with Lord Judge, Lord Brown of Eaton-under-Heywood and Lord Mackay of Clashfern. The Government have worked hard to improve the legal matters of retained EU law. I have had good and positive conversations with them and hope to continue to do so. The key thing about this is that, for the country’s sake, we have to be pragmatists now. I think that the Prime Minister gets that and I will support her for that reason, but the pragmatist takes nothing off the table, and that is how we should keep it, as of today.

Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): Mr Speaker, I am going to help you by being brief and I am going to speak from first principles.

I really wish, Mr Speaker, that I could fly you and Members on both sides of the House north into Scotland, north over the unedifying scenes that we saw earlier today and north into the clear sky of Caithness. I would take you to Scrabster, the small harbour that serves Orkney and Shetland and sits beside Thurso. At Scrabster, I have a constituent, Mr Willie Calder. He and his son, William, run Scrabster Seafoods Ltd, a highly successful company that indirectly employs 100 people in an area where jobs do not grow on trees.

I met Mr Calder and his son a few days ago, and he put the situation to me very clearly. It takes him two days to get his fish products to the markets in the south of France. It takes him one day to get to his markets in the north of France. One day’s extra delay, or even half a day’s extra delay, at customs or a port would ruin him. It is as simple as that. The bottom line—this is where I am keeping it short, Mr Speaker—is this: Mr Calder’s business, Scrabster Seafoods Ltd, matters to me a very great deal. My story is based on first principles, but it explains precisely where I am coming from. I sincerely hope that Members on both sides of the House and
both sides of the argument will see where I am coming from. I say to them; please work for the best interests of the people whom I represent. I would be letting them down and betraying them if I did not stand up here and say that.

Antoinette Sandbach (Eddsbury) (Con): I want to speak in response to the right hon. Member for Don Valley (Caroline Flint), who is no longer in her place. She said that her constituents felt insulted. Well, in the debates around these really crucial issues, some of those who voted another way also feel insulted. They are called remoaners; they are called traitors; and they are called mutineers. The lords who have crafted some very sensible amendments have been attacked for doing their constitutional job. Quite frankly, we need to have a much more serious debate about the future of this country and our future relationship with Europe.

The reality is that I accept that we are leaving. When I hear myself described in the press as a remainer or a remoaner, or whatever other adjective they want to give me, I have to say that I accept the referendum result, but what I do not accept is the massive damage that would be caused by a hard Brexit. It would damage my constituents’ jobs; it would damage their futures; and I will not support it. I say that loud and clear. For those reasons, I do support the Government’s amendment tonight on the customs agreement. That was something that I stood on in my manifesto. I thought that it was sensible and showed that the Government were willing to negotiate with Europe, build a positive relationship and, more importantly, not junk those economic and cultural ties that are so important to my constituents.

The EEA is not the perfect answer, but it is the framework from which we should work. I know that there are concerns around immigration. The reality is that it is freedom of movement of workers in the EEA and not freedom of movement, so there is already a big shift. We do not as a country apply the immigration controls that we could do. Much of the resentment that has been spoken about by Labour Members was caused by the Labour Government’s failure to apply the brake on the accession countries when they estimated that 12,000 to 15,000 people would come in from Europe; we had just under a million. That is why there has been that big groundswell of resentment.

There are some very sensible and pragmatic solutions out there, and I want to see this Government tackling them and looking at some of the options. The EEA is a framework that Europe understands. We should accept some of that framework and negotiate the opt-outs where we need them, and shape the agreement for the future.

Sir Geoffrey Clifton-Brown (The Cotswolds) (Con): I accept the sincerity of the views that my hon. Friend is putting across to the House, but does she accept, too, that if we accept the EEA, we will have free movement of workers from the EU, which means that we will have to have restrictions on workers from around the rest of the world?

Antoinette Sandbach: I am saying that there is a deal to be done. It is absolutely ridiculous to cut down our options, which is what has happened after these debates. Artificial red lines have been drawn in the sand, reducing our chances of getting a good deal for this country. For that reason, I support the amendment on the customs arrangements. However, I will be abstaining on the EEA vote because I think that it is an issue to which we should return. I want my Prime Minister to go into negotiations knowing the feeling across the House—of course, that we do not want to cut our ties, that we do not want a hard Brexit and that we want a sensible compromise. That is what I believe the majority of both leavers and remainers voted for; they voted for us to leave the political institutions of the EU, but to retain our relationship with it.

6.30 pm

Owen Smith: Perhaps it is because we are getting close to the wire on Brexit, but I think that there has been a new spirit of compromise and honesty in the debate and in many speeches that we have heard on both sides of the House today. I want to continue in that vein, so let me be clear that I remain a remainer—an ardent remainer. I would love this country to block, thwart, resist and reverse Brexit. I say that because I absolutely and sincerely believe, as I have done consistently over the last two years, that Brexit will make my constituents poorer, and my country weaker, more isolated and diminished in the world. I still cannot understand that we have a Government who are pursuing a policy that is going to make our country poorer, or indeed that we have an Opposition who are not properly opposing a policy that is going to make our country poorer.

On a further note of honesty, there is nothing that we have debated in the last two days—neither the meaningful vote yesterday, nor indeed the EEA today—that will stop, thwart, block or reverse Brexit. What we have debated in the last two days is how we, as parliamentarians, might properly shape Brexit and try to mitigate some of its worst impacts. That is why so many people have been entirely right to make the basic point that we should not be taking options off the table. The gravest mistake that the Government made in their negotiations was to set those ludicrous red lines right at the beginning, and to strip from the table so many possible options.

The EEA is a realistic, extant treaty that would allow us a safe port in this Brexit storm. It would be a lifeboat for this country. It would have to be amended so as to complement a customs union, in order to guarantee no hard border in Ireland. That is why our sister party is urging Labour Front Benchers, and all of us on these Benches, to support the EEA in conjunction with the customs union, and I will be voting for both tonight. If we allowed it, the EEA is also a means by which—through articles 112 and 113 of the agreement—we might address some of the concerns about immigration that were rightly raised by my right hon. Friend the Member for Don Valley (Caroline Flint).

Ultimately, our job is to try to ensure that we do minimal harm—no harm—to the jobs, opportunities and prosperity of our country and constituents. We cannot do that if we strip away from the negotiating table some of the very few realistic prospects for amending Brexit for the people of this country.

Colin Clark (Gordon) (Con): I rise to support amendment (c) in lieu of Lords amendment 3, to which I added my name. Post Brexit the UK must have maintenance of environmental principles. The amendment recognises that ongoing responsibility and looks to bolster the future environmental powers, and I appreciate
that the Government recognise this. For decades the EU has levied fines, carried out investigations, and monitored and held the countries of the EU to account quite appropriately. The agri-food industry has been the guardian of the countryside. It has the greatest impact on the countryside, rivers and flood defences, and it seeks to prevent environmental damage and to enhance the environment. I am very proud of that.

Amendment (c) should not be seen as a stick with which to beat agriculture and industry. It is to hold to account national Government, and rightly so. The Government have an absolute duty to protect the environment for the benefit of our children. This Government, with their 25-year environmental plan, have set a very high bar. We look forward to seeing a lot more meat on the bone, but a public authority looking after the environment will be absolutely essential after Brexit. The amendment clarifies the duty of Ministers: they must take account of, and be held responsible for, the environment.

The Bill is an essential, cast-iron protection that allows us to be ready for Brexit. It is the duty of every Member to ensure that the legislation is in place. It is my duty to represent my constituents in Gordon in the north-east of Scotland, an area dominated by oil and gas; an area that it seeing the highest inward investment in years; and an area of significant environmental beauty, where I am proud to farm and happy to plant my crops despite Brexit. My constituents expect a high level of behaviour from me, and I am proud to represent their interests. I am here to make sure that their voices, and indeed Scotland’s voice, are represented at this vital juncture. I distance myself from the pantomime we saw earlier. I am a Scottish MP and very proud to represent Scotland. The Scottish people want to see sound governance, environmental safeguards and a legal framework that protects the whole United Kingdom.

Rushanara Ali: I rise to support Lords amendment 51 and amendment (a) to it, tabled by Labour Front Benchers, and the amendments on the customs union. The EU referendum has undoubtedly changed our country completely, and there will be ramifications for our economy and society. The enormous job of leaving the EU represents a huge challenge for any Government, but we must remind this Government that whether people voted to leave or remain, they did not vote to become poorer. Yet the uncertainty and the shambolic way in which the negotiations have taken place are already having an effect on our economy: investment is down and, as the Governor of the Bank of England has stated, already 2% has been knocked off growth in the economy and we are losing £10 billion a year. Household income is down by £900 a year, which is money out of people’s pockets. There are major ramifications for all our constituents and their livelihoods.

My constituency is sandwiched between the City of London and Canary Wharf, and although I am no stranger to giving them a hard time for not doing more to create inclusive growth and ensure that the benefits reach everybody, I certainly do not want to see our country’s financial centres, which power our economy, contribute 12% of the taxation that funds our public services and create 2 million jobs, damaged by negotiations that keep us out of the customs union and the single market. If we are serious about dealing with the issues that affect our country, we must recognise the concerns not only about immigration, but about the jobs and livelihoods of the people we have to stand up for.

As other Members have said, the consequences of not being in a customs union and a single market are profound. That is why I will be supporting Lords amendment 51, but with a heavy heart, because I do not want to be in a different position from those on our Front Bench. But I believe that it would be wrong for me not to support it, because that would damage the interests of my constituents and the interests of millions of jobs and livelihoods across our country.

Mr Simon Clarke: I rise in support of amendments (c) and (d) in lieu of Lords amendment 3, which address environmental standards and to which I have put my name. In addition, I want to express my pleasure that there has been progress today on the Dubs amendment, for which I thank the Solicitor General.

The Solicitor General: I am grateful to my hon. Friend for giving way. I have listened carefully to opinion right across the House about the outstanding matter on the Dubs amendment. The Government will look again at the particular issue raised by the right hon. Member for Normanton, Pontefract and Castleford (Yvette Cooper), with a view to a potential amendment in lieu in the other place.

Mr Clarke: I thank the Solicitor General for clarifying that. It is right that as we move into post-Brexit territory, we show that we want to be an inclusive and welcoming country to those in the world who are most desperately in need.

It seems to me that Brexit is in fact quite a simple concept. My constituents knew that they were voting for three things: to have control of our immigration policy, to leave the jurisdiction of the European Court of Justice and to determine our trade policy. That is why it is so essential that we leave both the single market and the customs union. Neither institution is compatible with delivering what my constituents and our country voted for.

That is why I stand in frank disbelief at the nature of some of the comments we have heard this afternoon. I always regret what is called blue-on-blue action, but I cannot stand by the comments made by my right hon. Friend the Member for Broxtowe (Anna Soubry), who said that we have to “suck it up”. My constituents voted to leave the European Union precisely because they were not going to suck it up and because they knew what they wanted, which is for us to leave the European Union.

Fidelity to that vote, to our voters and to the promises that are implicit between the governing and the governed is essential to the health of our democracy, not just in the context of this debate but for the years and centuries that stretch ahead. It is clear to me that, as the right hon. Member for Don Valley (Caroline Flint) said, if we break faith and ignore their voice we will have created the most almighty problem for ourselves. Indeed, we will have lost the chance to have a more sensible debate about issues such as immigration, which have stirred such passions. We will only ever be able to get to a place where we can have a more balanced and
constructive conversation once we have accountability in this House for who comes to our country and on what terms.

With that in mind, we have to recognise, when we hear comments about how this is playing to extremists, that the real danger with extremism in our politics is if we ignore what people voted for. We have seen in Germany, in Italy, and even in the United States what happens when people believe that their voice is not being respected. That is the danger here—because, my goodness, we will look back on this as the most cataclysmic mistake if we unleash some of the forces which are all too eager for this House to fail to deliver what the British people voted for. That is my warning to colleagues, and that is why I will categorically not vote for any amendment that fails to deliver the Brexit that this country demands.

Wes Streeting (Ilford North) (Lab): I rise to support Lords amendment 51 and amendment (a) to it. I do so from first principles, because it is the responsibility of every Member of this House to come here and champion, defend and represent the best interests of their constituency and our country. In this generation-defining moment, there is no more important time for us to vote at every opportunity in the way that we think will best protect our constituents. Given the manner of the negotiations, the way the Government are conducting Brexit and the contempt with which they have treated the House at various points as we have sought to influence Brexit, we have to look on the Order Paper for every opportunity to shift the centre of gravity of debate away from a hard Brexit, dictated by a minority group in a minority Government, towards a softer Brexit that delivers the mandate of the referendum to leave the European Union but in a way that protects jobs and livelihoods.

The truth is that there is no such thing as a jobs-first Brexit outside the single market and the customs union. That presents the Labour party and the Conservative party with some political dilemmas, but we were all sent here to make our constituents’ jobs safer, not to make our jobs easier. The evidence is overwhelming that if this country crashes out with a hard Brexit or, worse, if we are outside the single market and without the benefits that the single market provides, that will damage jobs and hamper livelihoods, and we will not be able to solve all the underlying problems creating the swamp of despair and hopelessness that led to people voting for Brexit.

6.45 pm

If there is one thing worse than no hope, it is false hope and a false prospectus. There are some who peddle the myth that if we just pander to people’s grievances and prejudices on immigration by pulling ourselves out of the single market and the customs union, things in our country will be better. The truth is that, when it comes to tackling austerity, funding our public services and tackling the gross inequality that blights our nation, dealing with those problems will be a million times harder outside the single market and the customs union.

The European economic area is not perfect, but we should not let perfect be the enemy of good. From listening to what Conservative Members and some of my colleagues have said, I fear that if we continue to kick this down the road and hope that, before the moment of exit, a chance will arise to stop the hardest of hard Brexits, we may find that we have missed the opportunity. I am not going to miss such an opportunity today. I will support their lordships on Lords amendment 51, and I will support our Front-Bench amendment, but I urge every Member of the House to put their country first, not simply pander to the pressure being exerted on all of us.

Richard Graham (Gloucester) (Con): I rise to contribute briefly on two aspects of the debate: first, Lords amendment 51, which would require the Government to have, as a negotiating objective, membership of the European economic area; and, secondly, Lords amendment 2, which would require the Government to participate in a customs union. As a pragmateer, I know that we can make a case for both of them, for the risks of leaving the European Union are considerable and surely no one still believes that either the process or the negotiations are simple, because they are not.

Both approaches involve significant setbacks, however. Membership of the EEA would mean that we had no control over EU migration, and membership of the customs union would mean that we continued to subcontract our trade policy. This matters because, when it comes to immigration, the hard fact is that we cannot deport a criminal from the European Union unless their sentence is longer than two years, and it is virtually impossible to deport long-term unemployed rough sleepers from the European Union, as the recent European Court of Justice judgment made clear.

I believe that my constituents—indeed, all of our constituents—want their elected representative to take decisions about who can come here and work, and they do not hugely differentiate between individuals from Croatia and those from China or the Commonwealth. They would like us to take such decisions based on the needs of the country, the skills required, and whether the individuals coming here to work have those skills. On that basis, I believe that people in this country do want to see immigrants coming here.

On the customs union, the free trade agreements that the EU has already made are definitely an advantage. For example, we benefit hugely from the agreement with South Korea. However, to say, as some do, that we can never actually do as well as the EU is to underestimate the potential for us out there. Let me highlight the Trans-Pacific Partnership, to which some nine countries have now signed up, because there is a real opportunity for us to become part of that arrangement. Leaving the EU is clearly a risk—it is not a risk that all of us thought was worth the potential return—but if we are to make the most of doing so, membership of the EEA and of a customs union is not the way to satisfy anyone.

Lord Alli, a Labour peer, said on introducing Lords amendment 51 that “it is up to the elected House to decide on the EEA, not this House.”—[Official Report, House of Lords, 8 May 2018; Vol. 791, c. 58.]

He was right, and I trust tonight that we will vote down Lords amendments 51 and 2, and support the greatest flexibility, which is what the Government need in the negotiations.

Gareth Snell: It will come as no surprise to Labour Members that, when we divide this evening, I shall not be voting for Lords amendment 51; in fact I shall be
voting; to remove it from the Bill. I do not believe that the European economic area is the answer to the problems we face. I have been very clear with my constituents at every opportunity that the problems we have in Stoke-on-Trent were not caused by the European Union, but a continuation of a Europe-lite version will not be their salvation either.

On the customs union, I fully support the work that Labour Front Benchers have been doing to secure a proper trading relationship for goods with the European Union once we have left. Our trade deal with South Korea is vital to the ceramics industry, and it is only by continuing those arrangements after exit day that we will be able to sustain growth in that very important industry in my city.

What I do not understand is those who now advocate that we can have some sort of customs union plus EEA membership. I am aware that Monsieur Barnier came out last night and said that that was possible, but as far as I am aware, nobody in this House today has spoken to the members of the European Free Trade Association to ask whether that is something that they are willing to wear. Many Labour Members have recently rightly argued that those who join a club late and then seek to fundamentally change its rules of association should not do so, and it is wrong that we should take that approach into the European Free Trade Association with the intention of trying to change the way it has operated for many years.

No one I have heard this afternoon has advocated joining the EEA without some form of change, whether that be to freedom of movement, the terms and conditions or the way we trade. If we do not believe that the EEA is the right model for us, why do we advocate hitching ourselves to it after exit day? Unpicking ourselves from the EEA will be much more difficult than getting the bespoke deal here and now that practically all of us have spoken about this afternoon. My right hon. Friend the Member for Normanton, Pontefract and Castleford (Yvette Cooper) made that point when she said that there are elements of the EEA that simply would not work.

There has been much talk about articles 112 and 113 of the treaty around EFTA and the EEA allowing us to put a brake on immigration. Article 112 talks about severe and extreme societal, environmental or economic situations being taken into account for a time-limited period only. It does not address the concerns regarding immigration that were raised with me on the doorstep in Stoke-on-Trent during the general election. I take umbrage at Members who seek to suggest that people such as me and my right hon. Friend the Member for Don Valley (Caroline Flint) raise the issue of immigration simply because we are opposed to it. I want a firm and fair immigration system that allows those from Poland as well as Pakistan to come here, work hard, do their bit and pay their taxes.

James Cartlidge: Not for the first time, I want to talk about the EEA. Just to be absolutely clear, the EEA arrangement is distinctly inferior to the bespoke, deep trade relationship that we would like to negotiate under what I would call plan A, which is the Prime Minister’s policy. Equally, however, it is distinctly superior to WTO rules, if we fail to get a deal and we need a fall-back position. I have always set out that view.

I just remind everyone of a key point that we might have overlooked. People say that they would not want free movement to continue after we leave the EU but, whatever happens, it will be continuing through the transition, and we will not even have an emergency brake, a vote or a say. Even an EFTA member will have a say through co-determination rights in the EEA. It also has to be said that the issue would still be under the jurisdiction of the ECJ, rather than the EFTA court, which is a non-political court.

I have always very much argued that we should support the Prime Minister because we want to get that bespoke deal, and I still believe we will get it—it is the best option available to this country, for all the reasons that have been set out, particularly by those who campaigned to leave. It would be very odd if someone took the view that I have and then, just on the eve of an important negotiation, voted to completely change the Government’s negotiating stance. We should be backing the Prime Minister to achieve that deal. The question is what would happen if we did not have one later in the year, and I sincerely hope that we do not get to that point. I simply warn colleagues not to trash this option too much. It is not so much about burning bridges; we could be concreting over the only escape hatch credibly left to us if we get into a crisis.

Let me just address the immigration point, because the hon. Member for Stoke-on-Trent Central (Gareth Snell) raised it in his very good speech. When I intervened on my hon. and learned Friend the Solicitor General, he confirmed that if we end free movement in this country, we also end the fact that we legally restrict unskilled immigration to people from the European Union and, effectively, open it up to 90% of world’s population. That is a legal fact; we will no longer discriminate. Although we will “control” it, it is non-EU immigration that is now rising sharply. EU migration is falling sharply. Why is it falling sharply? In my view, and from what I hear from employers—this is a very welcome thing—it is because the economies of Poland and Romania are growing, and the well-qualified people who have come here to work on farms and so forth are getting good jobs back in their own countries. My hon. Friend the Member for Shrewsbury and Atcham (Daniel Kawczynski), who is of Polish descent, is agreeing, and that is certainly the situation I have found.

We in this Chamber need to debate unskilled immigration: whether we open it up to everyone, whether we have a visa system and whether we ourselves expect to need visas when we travel within Europe. The EEA is a good backstop, but it is not the ideal long-term position, which is why we should vote to support the Prime Minister today.

Mike Gapes (Ilford South) (Lab/Co-op): Two years ago, we were told that the EU’s unity would shatter, that we would be able to pick off individual countries and get a deal, and that the German manufacturing industry would change the German Government’s position. The reality is that the European Union has kept a consistent position throughout the negotiations. Why? Contrary to the belief of the right-wing Rexteers and the ideological Lexiteers—we do have some—the European Union is a rules-based, treaty-based organisation for which the four freedoms of the single market are integral.
The idea that we can cherry-pick our relationship with a bespoke British deal, whereby we get the benefits of access to the single market without being a participant in the single market, is an illusion. Whether we have a red cake with great big red cherries or a blue cake with great big blue cherries, the fact is that we will not be able to eat that cake, because we cannot get a better deal or as good a deal as we have in the single market once we have left the European Union.

The reality is that the belief that we could somehow have a bespoke deal that is as good as what we have now was always a fantasy, and the reality is now coming to a head. Because we wasted so much time after triggering article 50, we have ended up in a position where the clock is ticking very, very dangerously. We still have time to stop this process. We still have time to put any deal—if we do get a deal—to the people. But at the end of the day, if we in this Parliament do not assert our control, we will face disaster.

I support Lords amendment 51 on the EEA simply because I think we need a backstop. I predict that we will come back to that issue in the future. I cannot support the Labour Front-Bench amendment to that amendment, because it would take out the EEA, and I will therefore abstain on it.

David Duguid (Banff and Buchan) (Con): I rise to talk about Lords amendment 32. Unlike some of my fellow Scots who sit on the Opposition Benches, I will not pretend to speak for all of Scotland in this debate, but I will speak for my constituents, 54% of whom voted to leave the European Union. That should come as no surprise to those familiar with my constituency and its fishing communities. A University of Aberdeen study conducted before the EU referendum reported that 92% of British fishermen across the UK planned to vote leave. In a YouGov poll after the referendum, 79% of voters across the UK—not just fishermen—who expressed an opinion believed that the UK should leave the common fisheries policy. Some 16% agreed to a two-year transition period, and only 6% were in favour of remaining in the CFP.

I support Lords amendment 32, but I would like to clarify what it means for our fishing industry. The amendment does not in any way compromise control over our waters. We will still be leaving the CFP. We will not be subject to the European Fisheries Control Agency and neither will we be required to align with current or future EU fishing regulations. Although the amendment avoids the prevention of the UK replicating EU law if we so require, the UK Government’s ability to diverge from the EU and to pull out of EU agencies, including in areas such as fisheries or agriculture, should not be ignored or forgotten in the wake of the amendment.

The amendment stipulates that nothing in the Bill will prevent the UK from replicating in domestic law any EU law made after Brexit, or from continuing to participate in, or have a formal relationship with, EU agencies. More importantly, it does not require the UK to align with the EU or to participate in new agencies, and nor does it introduce a presumption that the UK will do so. It does not change the fact that the UK will automatically leave the CFP and regain its exclusive economic zone as an independent coastal state when we leave the EU.

7 pm

The amendment does not change the fact that we are leaving the EU and the CFP, and I have had that confirmed to me from the Dispatch Box by my right hon. Friend the Secretary of State for Scotland, the Secretary of State for Environment, Food and Rural Affairs and the Secretary of State for Exiting the European Union, as well as by the Ministers on the Front Bench today and, indeed, my right hon. Friend the Prime Minister. With these assurances in mind, I will be voting for the amendment.

Geraint Davies: Yesterday was a dark day for democracy, and today it looks like the economy will be set back a generation. The people of Swansea voted to Brexit—to leave—but many voted for more money, and now they will have to pay a divorce bill and endure slower growth, so they are not getting that; they voted for single market access, and it sounds like we will not be a member of the single market; they voted for more control, and that has been taken over by the Executive, who threaten all our rights and protections.

In 2017, my vote went up 50%. It did so because I promised to do everything I could to keep us in the single market and the customs union. How do we expect Captain Fox to boldly go where other trade negotiators have not gone before and negotiate better for Britain on its side versus team EU, which is much, much bigger? We need the EU to get the best deal versus China, which has already secured Hinkley and High Speed 2. China will overwhelm us. We can do more deals from the EU, as Germany has done, but alone, faced with the United States, we know that “America First” will overwhelm us. Team EU is the way to get the best trade deals.

I also support the EEA, the off-the-shelf opportunity for the single market. I do not accept the points made about migration. We should introduce and impose the existing EU laws on limiting the right of people to receive benefits or stay here if they do not have a job. What is more, the EU has already decided to equalise wages and allowances, so there will be no undercutting. So-called foreigners contribute 35% more in taxation than they consume in public services.

I also believe that if there is no deal—if the House rejects the deal—the public should have the final say. It would be intolerable to force-feed people a meal that is unfit for consumption and that they did not order. People who voted leave are saying that it is too costly and too complex, that they did not vote for this, that they do not want to become a poorer, divided, isolated, insecure nation. If the deal does not include the single market and customs union, it will be intolerable not to have a public vote. The choice should not be between the cold water and a safety boat; there should be a choice to stay in the good ship EU—to prosper from, and enjoy the strength and security that come with, our membership of the EU.
In 1975, the British people voted to stay in the Common Market, but over time they saw the European Economic Community morph into the European Community and then the European Union. People see the EU’s diplomatic corps’ development of military structures and its attendance at the G7 summit as moves to create a United States of Europe. People saw that happening and rightly wanted to decide: should we stay or should we go? We gave the decision to the people by a margin of six to one, and we have to respect their decision.

Contrary to the opinion of those in some places, people did not ditch strongly held remain views because of a few words on the side of a shiny red bus. They decided to vote leave on the basis of decades of lived experience in the EU. People will look back to the EU’s wine lakes and butter mountains; they will look at the failings of the common agricultural and fisheries policies; they will see billions of British pounds exiting the country when that money could be providing vital services here.

People know that Britain always delivers on international obligations. We pay our full contribution of 0.7% of gross national income towards foreign aid, but Germany manages only 0.41%. Britain meets her NATO obligation by spending 2% of GDP on defence, but Germany spends only 1.2%. Germany fails to meet her international obligations and saves the money for her own people, while the British taxpayer coughs up every penny demanded.

People know that the EU’s inability to fix the crisis of youth unemployment in so many EU countries is testimony to its inability to reform and serve the interests of its citizens.

Some people highlight divisions across the country caused by the referendum result, but then suggest that there should be a second referendum, as though the best of three were a good solution.

Rebecca Pow (Taunton Deane) (Con): Will my hon. Friend give way? [Interruption.] I will be very quick, but I wanted to put this on the record. It was a very close vote—48% to 52%—but right now we must achieve the best outcome for everyone. We must not go to the negotiating table with our hands tied.

Chris Green: I entirely agree.

The idea that Parliament ought to engage in a process that could result in a war of attrition until we end up remaining is repellant. The referendum decision was clear, and we need to leave as soon as possible. Let us negotiate the best deal in the time remaining, but let us also recognise that it is in the interests of the EU as much as those of the UK to win a good deal, not least because of the EU’s desperate need for £40 billion of British taxpayers’ money.

Clive Efford (Eltham) (Lab): It is now clear that “no deal” is the worst possible outcome for our country, and the vast majority of Members understand that. The Bill provides an opportunity for the House to stamp its authority on how the Government approach the future negotiations.

I will be voting for amendment (a) to Lords amendment 51, tabled by my right hon. Friend the Leader of the Opposition, and not for the Lords amendment itself, but I urge the Lords to read the report of this debate and note the range of views expressed by Members who have said that they will support amendment (a). They have also said that they will vote against the Lords amendment, that they will abstain—as I intend to do—or that they will vote for it, but they are aligned on the wording of my right hon. Friend’s amendment.

I have one simple message for the Lords. I urge them to take heed of that fact, and, when they are deliberating on the Bill, to ensure that any amendment that they send back to this House unites all its Members. We need to unite behind an amendment that will influence the Government, and ensure that they take the right approach in future negotiations.

Jack Brereton (Stoke-on-Trent South) (Con): Our choice tonight is clear. Do we deliver the wish of the electorate or the whim of the unelected? My constituents were very clear in the referendum: 70% voted to leave, and all the constituencies in the Potteries voted to leave. Those people want to hear all the Potteries MPs speak up for their decision, to accept their wisdom and to champion the Brexit that they want to see, and it is disappointing that not all of them have done so at every stage of the Bill.

If there is one message that the referendum sent us, it is surely this: that the traditional working-class communities across the United Kingdom will no longer be ignored. The key reason they voted for me and got rid of my Labour predecessor was to ensure that we delivered on Brexit. We must fulfil that promise and reject amendments tabled in the other place.

The people of Stoke-on-Trent want Brexit to refresh the parts of Britain that the EU did not effectively reach, and they want a closer policy focus on how local and regional Britain can benefit from a global trading future. That will be possible only if we leave the customs union, which will allow us to pursue our own independent trade policies, making and enhancing our trade links with countries throughout the world. It will cause a crisis of democracy if we fail to deliver the result that people voted for, to get the best outcome of Brexit from new trade around the world and to reject the Lords amendments.

It is also critical that we leave the EEA and regain control of our borders. Immigration and ending the free movement of people was a primary reason for people in Stoke-on-Trent voting to leave the EU. They want us to put in place an effective, fair immigration system that will ensure the number of people coming here is at a manageable level that does not put undue pressures on local services, and that those coming here make a meaningful contribution to our country. It is essential that the House rejects amendments that would keep us saddled to the EEA and the continuation of free movement without any control or say. Nothing will lead the electorate to hold Parliament in contempt quite like Parliament holding the electorate in contempt, but that is precisely what the House of Lords is asking us to do. Instead of delivering for the House of Peers, we should be positive about delivering the people’s choice. We must embrace the opportunities that come from taking back control, and, most of all, we must get on with it.

The people have given us an instruction to leave the European Union. We must stop those trying to frustrate and sabotage Brexit. This House must obey the British people, and so must the House of Lords.
Stephen Kinnock (Aberavon) (Lab): The message the public sent to us at the ballot box in June 2016 was clear: we must leave the European Union. But a 52:48 vote was not a vote for an inadequate Canada-style trade deal that does nothing for the services industry or the Irish border, and it certainly was not a vote to send the country over a no-deal cliff edge, tumbling towards the anti-worker, anti-growth, economy-crippling hard Brexit of the Tory right. We cannot risk this Government turning us into a European version of the Cayman Islands.

That is why I have been arguing for over 18 months for an EEA-based Brexit, in which we would not only retain a very high degree of access to the single market but substantially increase our control over our laws and our borders. EEA countries are not subject to the supremacy of EU law, nor do they fall under the direct jurisdiction of the European Court of Justice. EEA countries can shape legislation through consultation with the EU Commission and have the power to block new single market rules. Moreover, Michel Barnier has made it crystal clear that EEA plus customs union is a perfectly viable and realistic option.

The EEA agreement also offers the suspension and reform of the free movement of labour. Articles 112 and 113 of the agreement are safeguard clauses that would offer significantly greater control over our borders and labour market. We should compare and contrast that solid treaty-based mechanism with the more open-ended framing of the Labour Front-Bench amendment, which makes no mention at all of free movement. The fact is that when it comes to free movement, our Front-Bench amendment is less clear and less tangible than the EEA option.

The overarching purpose of the EEA is “to promote a continuous and balanced strengthening of trade and economic relations.”

That is very different from the overarching purpose of the EU, which is to form an ever closer union. An EEA Brexit would therefore take us back to the origins of the European economic area, an agreement based on mutually beneficial trade rather than on political union.

If there is one lesson to learn from these Brexit negotiations, it is that the EU operates on the basis of rules, laws, models, treaties and legal precedents. By committing to the EEA, Britain would be joining a set of institutions that for 25 years has helped deliver frictionless trade between the EU and the EEA-EFTA countries, while also protecting those countries’ interests.

I therefore urge Members on both sides of the House to join me in showing their backing for an EEA-based Brexit that strikes the right balance between prosperity and sovereignty. It is the only form of Brexit that can have a hope of reuniting our deeply divided country.

Ian Murray: Never in the recent history of this Parliament has the next year been so important to the future of our country, for the simple reason that we are sent here to do two things: to represent our constituents, and 78% of my constituents voted to remain; and to look after the best interests of the country. There is going to be a lot of debate and argument over the next few months about the direction the country will go in, and much debate about the minutiae of the customs union and the single market, but this boils down to what is in the best interests of the country overall.

Eddie Hughes (Walsall North) (Con): Will the hon. Gentleman give way?

Ian Murray: I am sorry, I will not give way, because other colleagues want to get in.

7.15 pm

Today, we are debating two amendments on the customs union and on the EEA single market. Those are the least worst options for when, or if, we leave the European Union. We are trying as a Parliament to soften the blow of the Conservative Government’s ideology and ambition to deliver the hardest of Brexits because—as we have heard from Government Members before—they want to turn us into Singapore. All the analysis that anyone has sent us, including the Treasury, the Scottish Government, the Institute for Fiscal Studies and many think-tanks, tells us that this would damage the country. If we were to go down the route of the single market and the customs union, but it would damage it less than if we were to go down the route of a no-deal scenario or if we fell back on World Trade Organisation rules.

The Brexiteers across the Chamber have been saying for the past two days that we are trying to frustrate the process, but that is Brexiteer-speak for “We don’t have any answers to the questions, so we’ll disregard what you are saying and your attempts to have a debate in the country about what is in the best interests of the people we seek to represent.” The only people who are trying to undermine and frustrate the Brexit negotiations are the Government themselves. How can we possibly allow the European Commission and the 27 other nations of the European Union to negotiate a bespoke deal, or any other deal, with us when the Cabinet themselves cannot even agree? Away day after away day will not sort out the deep divisions within the Government, and the only conclusion is that this will damage the country.

I say to every hon. Member here tonight: let us take the opportunity that is in front of us now. This is the time for the 650 Members of this Parliament to stand up, so that when we look back in 20 or 30 years’ time, we will be able to look our constituents in the eye and say with confidence that we did all we possibly could to save this country from economic armageddon.

Matt Western (Warwick and Leamington) (Lab): Somehow, this whole debate has been hijacked by what I believe to be a minority in this House. It is claimed by some people that liberating this country from the European Union’s customs union and single market will lead to a fantastic brave new world in which we are free to strike new deals with China and the US and other markets. However, that claim is presented as a choice between one or the other. Clearly, it is not. The public really are being deceived. For example, all countries in Europe trade with China. The UK already does so. We are not handicapped by being part of the EU in that regard. Quite the opposite: we are strengthened and enabled by it. I should like to present a simple fact in the debate. The UK’s exports to China are worth $18 billion, while Germany’s are worth $180 billion. Is Germany handicapped in any way? No, it is not. Being a member of the EU does not work against any of us.
UK plc needs to prioritise its largest customer, which is surely the EU customs union, and build its markets elsewhere. That is what the CBI says, and Paul Drechsler said this morning that UK manufacturing would be seriously threatened by a hard Brexit and switching to WTO rules. The public expect us in this place to act in their best interests and in the best interests of the economy, of jobs and of businesses. For that reason, we must stay in a customs union and some form of single market.

Eddie Hughes: Will the hon. Gentleman give way?

Matt Western: I do not have time.

In recent months, we have seen the storm clouds gather. We have seen border growth, rising inflation and major manufacturing job losses. We have seen not only the prospect but the reality of global trade wars. Protectionism is around us everywhere and racism and hate crime are on the rise. There are faint echoes of the 1930s. Now is not the time to desert our neighbours in Europe. That is why I will be voting with my Front Benchers for Lords amendment 51, to keep all the options on the table and to ensure that we achieve the best negotiated outcome for the public, for our businesses and for our economy.

Matt Rodda (Reading East) (Lab): I rise to speak in favour of the Labour Front-Bench amendment and the amendments on the customs union. Despite two years having passed since the referendum, the Government are deeply divided and have no plan. Given the lack of clarity and the absence of any policy, it is incumbent on this House to help find a sensible way forward, and I hope colleagues on both sides will support a balanced, sensible approach that includes continued close working with the EU after we have left it.

While a majority voted to leave, no one in this country voted to be worse off, no one voted for instability in Northern Ireland and no one voted for a shortage of NHS staff. A cliff-edge hard Brexit would be too far for most of those who wanted to leave, as well as for my constituents, a majority of whom voted to remain. After two years of Government indecision and distraction by hard Brexiteers, it is time for a sensible way forward. I urge colleagues across the House to consider the issues carefully and to reflect on the many real concerns about the direction in which we are currently heading.

Peter Kyle: The single market is a law-based structure with a court acting as referee. That is from where its strength derives, and it is a strength that the EU will not weaken by giving full access to countries with divergent regulatory systems or standards. That is why I stand to support Lords amendment 51 and to associate myself with the earlier comments of my hon. Friend the Member for Wirral South (Alison McGovern) about the Labour Front-Bench team and how they have responded to the challenges they face in bringing us together.

The EEA offers us access to the single market with the greatest flexibility that we are ever going to achieve, and, best of all, it already exists. In two years’ time, we will never be able to set up all the regulatory systems, checks and standards that we need to satisfy the EU that we are a reliable partner in our own right. It is only in this place that we seem to get away with bending the laws of nature or, in this case, common sense to ensure that we can make the argument that that is the case. We will not get the exact same benefits outside of the single market.

The truth is that the Government are not negotiating with the EU: they are negotiating with themselves and pretending that that has the same consequences. The people on the frontline of the economy are watching, and they are increasingly horrified by what they see. After two years of negotiations, the Government have returned with only one bankable promise: we will get another two years of negotiations. This time, however, we will be outside the EU, trying to negotiate exactly the same benefits that we have just given up. Negotiation is the new normal. There will be an ever-ending set of negotiations that are never going to end. People seem to believe that a set of negotiations will end in March or in two years’ time, but we will have a new set of negotiations every time the single market evolves, and that will open up every single one of the wounds that have been on display here today, not just once, not just for the next two years, but indefinitely.

Charlie Elphicke: Will the hon. Gentleman give way?

Peter Kyle: I am not going to give way, because the hon. Gentleman has already spoken, but I look forward to debating with him when his constituency fills up with lorries after we leave the single market.

There is a lot I would like to say about the honest challenges raised by my right hon. Friend the Member for Don Valley. She spoke to us in a respectful way, and I hope that she will see that I and others have been respectful to her and always will be.

Mr Speaker: For the final three-minute speech, I call Conor Burns.

Conor Burns (Bournemouth West) (Con): I had not intended to speak in this debate today, but after listening to many of the contributions from both sides of the House, I think I must. It is becoming incredibly clear that those who know most about the motivation of those who voted by a decisive margin to leave the European Union are those who voted to stay in the European Union. They are now experts in the desires that motivated people to go out in record numbers to participate in that referendum.

We are constantly being told what they did not vote to do, and I tell this House today what they did vote to do: they voted to leave the European Union. What we are having is a dress rehearsal for an attempt to reverse the decision they took. The single market and the customs union are the vanguard for keeping Britain in the European Union by the back door.

Ben Bradley (Mansfield) (Con): Does my hon. Friend agree that the Prime Minister has been the most consistent one on the reasons why people voted to leave? She has outlined that people want to take back control of their money, borders and laws, with which single market and EEA membership are not compatible.

Conor Burns: My hon. Friend is absolutely correct. The Prime Minister, in her two key speeches, has made it very clear that she respects the decision the British public took, which is about control of our borders. As my right hon. Friend the Member for Forest of Dean (Mr Harper) said earlier, this is not about being against
immigration; it is about being able to deliberately discriminate equally between everyone, from across the world, rather than giving preference to one set of people simply because of where they live. It is about making our own laws again. The Supreme Court on the other side of Parliament Square will again become the supreme court of the United Kingdom, and we will not be subject to the European Court of Justice. And it is about taking back control.

Mr Marcus Jones (Nuneaton) (Con): Will my hon. Friend give way?

Conor Burns: I will not give way because we are very short of time.

It is also about ending the vast payments we make to the EU, for which we are somehow supposed to be grateful because we get a little bit of it back.

In short, the British public voted to become an independent, self-governing country again. It is incumbent on this House to deliver on that verdict and to reject the Lords amendments, which have only one aim, which is to thwart the democratic will of the British people.

The Solicitor General: There has not been an Opposition wind-up, and I had agreed with colleagues that we would proceed to the votes. It is one thing to have a series of wind-ups, but it is another thing to have one wind-up.

The Solicitor General: I just want to respond briefly.

Mr Speaker: Very well.

The Solicitor General: The right hon. Member for Normanton, Pontefract and Castleford (Yvette Cooper) mentioned the Dubs amendment made by the Lords and, in her absence, I reiterate my assurance that the Government will go away and look at drafting an amendment for their lordships’ House when the matter goes before them. On that basis, I hope she will not press the amendment in her name.

Simon Hoare (North Dorset) (Con): On a point of order, Mr Speaker. You will appreciate the importance of these Divisions. You will also be aware from our earlier exchange that the annunciators are not showing them, but do we have the assurance of the House authorities that the Division bells themselves are fully working in all parts of the House?

Mr Speaker: As far as we know, yes. I am sensitive to the difficulties that can arise, and when such situations arise, I use my discretion to ensure that no Member is knowingly disadvantaged. I hope the hon. Gentleman will be reassured by the advice I have received and by the undertaking I have offered.

Question put, That amendment (a) to Lords amendment 51 be made.

The House divided: Ayes 240, Noes 322.

Division No. 178

AYES

Abbott, rh Ms Diane
Abrahams, Debbie
Ali, Rushanara
Allin-Khan, Dr Rosena
Bayley, Mr Adrian
Barron, rh Sir Kevin
Beckett, rh Margaret
Benn, rh Hilary
Berger, Luciana
Betts, Mr Clive
Blackman-Woods, Dr Roberta
Blomfield, Paul
Brabin, Tracy
Bradshaw, rh Mr Ben
Brennan, Kevin
Brown, Lyn
Brown, rh Mr Nicholas
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Richard
Butler, Dawn
Byrne, rh Liam
Cadbury, Ruth
Campbell, rh Mr Alan
Carden, Dan
Champion, Sarah
Chapman, Jenny
Charalambous, Bambos
Clwyd, rh Ann
Coaker, Vernon
Cooper, Julie
Cooper, Rosie
Cooper, rh Yvette
Corbyn, rh Jeremy
Coyle, Neil
Creagh, Mary
Creasy, Stella
Cuddas, Jon
Cryer, John
Cummins, Judith
Cunningham, Alex
Cunningham, Mr Jim
David, Wayne
Davies, Geraint
De Cordova, Marsha
De Piero, Gloria
Debbonaire, Thangam
Dent Coad, Emma
Dhesi, Mr Tanzanian Singh
Dodds, Anneliese
Doughty, Stephen
Dowd, Peter
Drew, Dr David
Dromey, Jack
Duffield, Rosie
Eagle, Ms Angela
Eagle, Maria
Elford, Clive
Elliott, Julie
Ellman, Dame Louise
Elmore, Chris
Esterson, Bill
Evans, Chris
Farrelly, Paul
Fitzpatrick, Jim
Fletcher, Colleen
Flinn, rh Caroline
Fovargue, Yvonne
Foxcroft, Vicky
Frisby, James
Furness, Gill
Gaffney, Hugh
Gardiner, Barry
George, Ruth
Gill, Prreet Kaur
Glindon, Mary
Godsiff, Mr Roger
Goodman, Helen
Green, Kate
Greenwood, Lilian
Greenwood, Margaret
Griffith, Nia
Gwynne, Andrew
Hamilton, Fabian
Hardy, Emma
Harman, rh Ms Harriet
Harris, Carolyn
Hayes, Helen
Hayman, Sue
Healey, rh John
Hendrick, Sir Mark
Heburn, Mr Stephen
Hermon, Lady
Hill, Mike
Hillier, Meg
Hodgson, Mrs Sharon
Hollern, Kate
Howarth, rh Mr George
Huq, Dr Rupa
Hussain, Imran
Jarvis, Dan
Johnson, Diana
Jones, Darren
Jones, Gerald
Jones, Helen
Jones, rh Mr Kevan
Jones, Sarah
Jones, Susan Elan
Kane, Mike
Keeley, Barbara
Kendall, Liz
Khan, Afzal
Kilren, Ged
Kinnock, Stephen
Kyle, Peter
Laird, Lesley
Lammy, rh Mr David
Lavery, Ian
Lee, Karen
Lewell-Buck, Mrs Emma
Lewis, Clive
Lewis, Mr Ivan
Lloyd, Tony
Long Bailey, Rebecca
Lucas, Ian C.
Lynch, Holly
Madders, Justin
Mahwood, Mr Khalid
Mahwood, Shabana
Malhotra, Sema
Mann, John
Marsden, Gordon
Martin, Sandy
Maskell, Rachael
Matheson, Christian
McCabe, Steve
McCarthy, Kerry
McDonald, Siobhain
McDonald, Andy
McDonnell, rh John
McGinn, Conor
McGovern, Alison
McInnes, Liz
McKinnell, Catherine
McMahon, Jim
McMorrin, Anna
Means, Ian
Bone, Mr Peter
Boles, Nick
Blackman, Bob
Beresford, Sir Paul
Bellingham, Sir Henry
Benyon, rh Richard
Beresford, Sir Paul
Berry, Jake
Blackman, Bob
Blunt, Crispin
Boles, Nick
Bone, Mr Peter
Siddiq, Tulip
Slaughter, Andy
Smith, Angela
Smith, Cat
Smyth, Karin
Snell, Gareth
Sobel, Alex
Spellar, rh John
Starmer, rh Keir
Stevens, Jo
Streeting, Wes
Sweeney, Mr Paul
Tami, Mark
Thomas, Gareth
Thomas-Symonds, Nick
 Thornberry, rh Emily
 Timms, rh Stephen
 Trickett, Jon
 Turley, Anna
 Turner, Karl
 Twigg, Stephen
 Twist, Liz
 Umunna, Chuka
 Vaz, rh Keir
 Vaz, Valerie
 Walker, Thelma
 Watson, Tom
 West, Catherine
 Westmin, Matt
 Whitehead, Dr Alan
 Whitfield, Martin
 Williams, Dr Paul
 Williamson, Chris
 Wilson, Phil
 Woodcock, John
 Yasin, Mohammad
 Zeichner, Daniel

NOES
Adams, Nigel
Afolami, Bim
Afriyie, Adam
Aldous, Peter
Allan, Lucy
Allen, Heidi
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
Berkeley, Sir Peter
Berry, Jake
Blackman, Bob
Blunt, Crispin
Boles, Nick
Bone, Mr Peter
Siddiq, Tulip
Slaughter, Andy
Smith, Angela
Smith, Cat
Smyth, Karin
Snell, Gareth
Sobel, Alex
Spellar, rh John
Starmer, rh Keir
Stevens, Jo
Streeting, Wes
Sweeney, Mr Paul
Tami, Mark
Thomas, Gareth
Thomas-Symonds, Nick
 Thornberry, rh Emily
 Timms, rh Stephen
 Trickett, Jon
 Turley, Anna
 Turner, Karl
 Twigg, Stephen
 Twist, Liz
 Umunna, Chuka
 Vaz, rh Keir
 Vaz, Valerie
 Walker, Thelma
 Watson, Tom
 West, Catherine
 Westmin, Matt
 Whitehead, Dr Alan
 Whitfield, Martin
 Williams, Dr Paul
 Williamson, Chris
 Wilson, Phil
 Woodcock, John
 Yasin, Mohammad
 Zeichner, Daniel

Tellers for the Ayes:
Nic Dakin and Nick Smith
Mr Speaker: I ask the Serjeant at Arms to investigate the delay in the No Lobby.

The House having divided: Ayes 327, Noes 126.

**Division No. 179**

**AYES**

Adams, Nigel
Afolami, Bin
Afreijie, Adam
Aldous, Peter
Allan, Lucy
Arag, Edward
Atkins, Victoria
Bacon, Mr Richard
Badenoch, Mrs Kemi
Baker, Mr Steve
Baldwin, Harriett
Barclay, Stephen
Baron, Mr John
Barron, rh Sir Kevin
Bebb, Guto
Bellingham, Sir Henry
Benyon, rh Richard
Beresford, Sir Paul
Berry, Jake
Blackman, Bob
Blunt, Crispin
Bolsover, Nick
Bottomley, Sir Peter
Bowie, Andrew
Bradley, Ben
Bradley, rh Karen
Brady, rh Sir Graham
Braverman, Suella
Breer, Andrew
Brine, Steve
Brookmanshire, rh James
Bruce, Fiona
Buckland, Robert
Burghart, Alex
Burns, Conor
Burt, rh Alistair
Cairns, rh Alun
Campbell, Mr Gregory
Campbell, Mr Ronnie
Cartledge, James
Cash, Sir William
Caulfield, Maria
Chalk, Alex
Chishti, Rehman
Chope, rh Sir Christopher
Churchill, Jo
Clark, Colin
Clark, rh Greg
Clarke, Mr Simon

**NOES**

Anns, Jack
Arends, Mr David
Aston, Helen
Aston, Mr Alun
Atkins, Greg
Atkins, Tobias
Avery, Mr Glyn
Barker, Mr Simon
Batt, Mr Steve
Bennett, Mr David
Bennett, Philip
Bennett, Rhodri
Bennett, Stephen
Bennett, Tim
Bennett, Mr Robert
Bennett, Mr Alan
Bentham, Mr Richard
Bentham, Mr Robert
Bentham, Simon
Bennett, Mr Michael
Bentham, Mr Andrew
Bentham, Mark
Bentham, Mr Mark
Bentham, Mrs Rose
Bentham, Mr Mark
Bentham, Mr Robert
Bentham, Simon
Bentham, Mr Michael
Bentham, Mr Robert
Bentham, Mark
Bentham, Mr Mark
Bentham, Mrs Rose
Bentham, Mr Michael
Bentham, Mr Robert
Bentham, Simon
Bentham, Mr Michael
Bentham, Mr Robert
Bentham, Mark
Bentham, Mr Mark
Bentham, Mrs Rose
Bentham, Mr Michael
Bentham, Mr Robert
Bentham, Simon

I ask the Serjeant at Arms to investigate the delay in the No Lobby.
Hillier, Meg
Hobhouse, Wera
Hodge, rh Dame Margaret
Howarth, rh Mr George
Huq, Dr Rupa
Jardine, Christine
Jones, Darren
Jones, Helen
Kendall, Liz
Killed, Ged
Kinnock, Stephen
Kyle, Peter
Lake, Ben
Lamb, rh Norman
Lammy, rh Mr David
Law, Chris
Leslie, Mr Chris
Linden, David
Lucas, Caroline
MacNeill, Angus Brendan
Malhotra, Seema
Mc Nally, John
McCarthy, Kerry
McDonagh, Siobhain
McDonald, Stuart Malcolm
McDonald, Stuart C.
McFadden, rh Mr Pat
McGinn, Conor
McGovern, Alison
McKinnell, Catherine
McMorin, Anna
Monaghan, Carol
Moon, Mrs Madeleine
Moran, Layla
Murray, Ian
Newlands, Gavin
O’Hara, Brendan
Owen, Albert
Phillips, Jess
Phillipson, Bridget
Reeves, Ellie
Reeves, Rachel
Reynolds, Emma
Ryan, rh Joan
Saville Roberts, Liz
Sharma, Mr Virendra
Sheerman, Mr Barry
Sheppard, Tommy
Shuker, Mr Gavin
Siddiq, Tulip
Slaughter, Andy
Smith, Angela
Smith, Owen
Sobey, Alex
Souby, rh Anna
Stephens, Chris
Stevens, Jo
Stone, Jamie
Streeting, Wes
Swinson, Jo
Thewlioss, Alison
Thomas, Gareth
Timms, rh Stephen
Turley, Anna
Umunna, Chuka
West, Catherine
Western, Matt
Whitfield, Martin
Whitford, Dr Philippa
Williams, Hywel
Williams, Dr Paul
Wilson, Phil
Wishart, Pete
Woodcock, John
Zeichner, Daniel

Tellers for the Noes:
Susan Elan Jones and
Stephen Gethins

Bacon, Mr Richard
Badenoch, Mrs Kemi
Baker, Mr Steve
Baldwin, Harriett
Barclay, Stephen
Baron, Mr John
Bebb, Guto
Bellingham, Sir Henry
Benyon, rh Richard
Beresford, Sir Paul
Berry, Jake
Blackman, Bob
Blunt, Crispin
Boles, Nick
Bone, Mr Peter
Bottomley, Sir Peter
Bowie, Andrew
Bradley, Ben
Bradley, rh Karen
Brady, Sir Graham
Braverman, Suella
Brereton, Jack
Bridgen, Andrew
Brine, Steve
Brokenbrowne, rh James
Bruce, Fiona
Buckland, Robert
Burghart, Alex
Burns, Connor
Burt, rh Alistair
Cairns, rh Alun
Campbell, Mr Gregory
Campbell, Mr Ronnie
Carlridge, 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
Coffey, Dr Thérèse
Collins, Damian
Costa, Alberto
Courts, Robert
Cox, Mr Geoffrey
Crabb, rh Stephen
Crouch, Tracey
Davies, Chris
Davies, David T. C.
Davies, Glyn
Davies, Mims
Davies, Philip
Davis, rh Mr David
Dinenage, Caroline
Djagolo, Mr Jonathan
Dochez, Leo
Dodds, rh Nigel
Donaldson, rh Sir Jeffrey M.
Donelan, Michelle
Dorries, Ms Nadine
Double, Steve
Dowden, Oliver
Doyle-Price, Jackie
Drax, Richard
Dudbridge, 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, rh Mr Nigel
Evelyn, rh Sir David
Fabricant, Michael
Fallon, Sir Michael
Field, rh Frank
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
Garner, Mark
Gauke, rh Mr David
Ghan, Mrs Nusrat
Gibb, rh Nick
Gillian, Dame Cheryl
Girvan, Paul
Glenn, John
Goldsmith, Zac
Goodwill, rh Mr Robert
Gove, rh Michael
Graham, Luke
Graham, Richard
Grant, Bill
Grant, Mrs Helen
Gray, James
Grayling, rh Chris
Green, Chris
Green, rh Damian
Greening, rh Justine
Grieve, rh Mr Dominic
Griffiths, Andrew
Gyimah, Mr Sam
Hain, 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
Hinds, rh Damian
Hoare, Simon
Hoey, Kate
Hollingbery, George
Hollnairke, Kevin
Hollobone, Mr Philip
Holloway, Adam
Hopkins, Kelvin
Howell, John
Huddleston, Nigel

Question accordingly agreed to.

Lords amendment 51 disagreed to.

Clause 1

REPEAL OF THE EUROPEAN COMMUNITIES ACT 1972

Motion made, and Question put, That this House agrees with Lords amendment I. — [Mr Robin Walker.]

The House proceeded to a Division.

Mr Speaker: I am sorry to have to trouble the Serjeant at Arms again, but I ask him to investigate the delay in the No Lobby. Members wish to proceed expeditiously with the votes.

Frank Field rose—

Mr Speaker: I am always very obliged to the right hon. Gentleman, but I am taking my own measures at this stage. If I feel I require his assistance I will pray him in aid. He may rest assured that I will always profit from his counsels.

The House having divided: Ayes 325, Noes 298.

Division No. 180]

AYES
Adams, Nigel
Afolami, Bin
Afrinye, Adam
Aidous, Peter
Allan, Lucy
Allen, Heidi
Argar, Edward
Atkins, Victoria

Bacon, Mr Richard
Badenoch, Mrs Kemi
Baker, Mr Steve
Baldwin, Harriett
Barclay, Stephen
Baron, Mr John
Bebb, Guto
Bellingham, Sir Henry
Benyon, rh Richard
Beresford, Sir Paul
Berry, Jake
Blackman, Bob
Blunt, Crispin
Boles, Nick
Bone, Mr Peter
Bottomley, Sir Peter
Bowie, Andrew
Bradley, Ben
Bradley, rh Karen
Brady, Sir Graham
Braverman, Suella
Brereton, Jack
Bridgen, Andrew
Brine, Steve
Brokenbrowne, rh James
Bruce, Fiona
Buckland, Robert
Burghart, Alex
Burns, Connor
Burt, rh Alistair
Cairns, rh Alun
Campbell, Mr Gregory
Campbell, Mr Ronnie
Carlridge, 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
Coffey, Dr Thérèse
Collins, Damian
Costa, Alberto
Courts, Robert
Cox, Mr Geoffrey
Crabb, rh Stephen
Crouch, Tracey
Davies, Chris
Davies, David T. C.
Davies, Glyn
Davies, Mims
Davies, Philip
Davis, rh Mr David
Dinenage, Caroline
Djagolo, Mr Jonathan
Dochez, Leo
Dodds, rh Nigel
Donaldson, rh Sir Jeffrey M.
Donelan, Michelle
Dorries, Ms Nadine
Double, Steve
Dowden, Oliver
Doyle-Price, Jackie
Drax, Richard
Dudbridge, 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, rh Mr Nigel
Evelyn, rh Sir David
Fabricant, Michael
Fallon, Sir Michael
Field, rh Frank
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
Garner, Mark
Gauke, rh Mr David
Ghan, Mrs Nusrat
Gibb, rh Nick
Gillian, Dame Cheryl
Girvan, Paul
Glenn, John
Goldsmith, Zac
Goodwill, rh Mr Robert
Gove, rh Michael
Graham, Luke
Graham, Richard
Grant, Bill
Grant, Mrs Helen
Gray, James
Grayling, rh Chris
Green, Chris
Green, rh Damian
Greening, rh Justine
Grieve, rh Mr Dominic
Griffiths, Andrew
Gyimah, Mr Sam
Hain, 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
Hinds, rh Damian
Hoare, Simon
Hoey, Kate
Hollingbery, George
Hollnairke, Kevin
Hollobone, Mr Philip
Holloway, Adam
Hopkins, Kelvin
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, Sir Bernard
Jenkins, Andrea
Jennick, Robert
Johnson, rh Boris
Johnson, Dr Caroline
Johnson, Gareth
Johnson, Joseph
Jones, Andrew
Jones, rh Mr David
Jones, Mrs Marcus
Kawczynski, Daniel
Keegan, 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
Lefroy, Jeremy
Leigh, rh Sir Edward
Letwin, rh Sir Oliver
Lewer, Andrew
Lewis, rh Brandon
Lewis, rh Dr Julian
Liddell-Grainger, Mr Ian
Lidington, rh Sir 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
Masterston, Paul
May, rh Mrs Theresa
McLoughlin, rh Sir Patrick
McPartland, Stephen
McVey, rh Ms Esther
Menzies, Mark
Mercer, Johnny
Merriman, Huw
Metcalfe, Stephen
Miller, rh Mrs Maria
Millng, 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
Morrison, 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
Paterson, rh Mr Owen
Pawsey, Mark
Penning, rh Sir Mike
Penrose, John
Perry, Andrew
Perry, rh Claire
Philp, Chris
Pincher, Christopher
Poulter, Dr Dan
Pow, Rebecca
Prentis, Victoria
Prisk, rh Mr Mark
Pritchard, Mark
Pursglove, Tom
Quin, Jeremy
Quinn, Will
Raab, Dominick
Redwood, rh John
Rees-Mogg, Mr Jacob
Robertson, rh Laurence
Robinson, Gavin
Robinson, Mary
Rosindell, Andrew
Ross, Douglas
Rowley, Lee
Rudd, rh Amber
Rutley, David
Sandbach, Antoinette
Scully, Paul
Seely, rh Mr Bob
Selous, Andrew
Shannon, Jim
Shapps, rh Grant
Sharma, Alok
Shellbrooke, Alec
Simpson, David
Simpson, rh Mr Keith
Skidmore, Chris
Smith, Chloe
Smith, Henry
Smith, rh Julian
Smith, rh Royston
Soames, rh Sir Nicholas
Spelman, rh Dame Caroline
Spencer, Mark
Stephenson, Andrew
Stevenson, John
Stewart, Bob
Stewart, Tim
Stewart, Rory
Stride, rh Mel
Stringer, Graham
Stuart, Graham
Sturdy, Julian
Sukak, Rishi
Swaney, rh Sir Desmond
Swire, rh Sir Hugo
Sym, rh Sir Robert
Thom, Derek
Thom, rh David
Throup, Maggie
Tolhurst, Kelly
Tomlinson, Justin
Tomlinson, Michael
Tracey, Craig
Tredinnick, David
Trevelan, Mrs Anne-Marie
Truss, rh Elizabeth
Tugendhat, Tom
Vaizey, rh Mr Edward
Vara, Mr Shasheesh
Vickers, Martin
Villiers, rh Theresa
Walker, Mr Charles
Walker, Mr Robin
Wallace, rh Mr Ben
Warburton, David
Warman, Matt
Watling, Giles
Whately, Helen
Wheel, 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

Tellers for the Ayes:
Paul Maynard and
Stuart Andrew

NOES

Abbott, rh Ms Diane
Abrahams, Debbie
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
Blackman, Kirsty
Blackman-Woods, Dr Roberta
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
Burden, Richard
Burton, Richard
Butler, Dawn
Byrne, rh Liam
Cable, rh Sir Vince
Cadbury, Ruth
Cameron, Dr Lisa
Campbell, rh Mr Alan
Carden, Dan
Carmichael, rh Mr Alistair
Champion, Sarah
Chapman, Douglas
Chapman, Jenny
Charalambous, Bambos
Cherry, Joanna
Clarke, rh Mr Kenneth
Clywd, rh Ann
Coaker, Vernon
Coffey, Ann
Cooper, Julie
Cooper, Rosie
Cooper, rh Yvette
Corbyn, rh Jeremy
Cowen, Ron
Coye, Neil

Crawley, Angela
Creagh, Mary
Creasy, Stella
Cruddas, Jon
Cryer, John
Cummings, Judith
Cunningham, Alex
Cunningham, Mr Jim
davey, rh Sir Edward
David, Wayne
Davies, Geraint
Day, Martyn
de Cordova, Marsha
de Piero, Gloria
Debbonaire, Thangam
dent Coad, Emma
Dhesi, Mr Tamanjaneet Singh
 Docherty-Hughes, Martin
Dodd, Anneliese
Doughty, Stephen
Dowd, Peter
Drew, Dr David
Dromey, Jack
duffy, Rosie
Eagle, Ms Angela
Eagle, Maria
Edwards, Jonathan
Efford, Clive
Elliot, Julie
Ellman, Dame Louise
Elmore, Chris
Esterson, Bill
Evans, Chris
Farrelly, 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
Gillon, David
Goodman, Helen
Grady, Patrick
The House divided: Ayes 326, Noes 296.

Motion made, and Question put, That this House disagrees with Lords amendment 2.—[The Solicitor General.]

The House divided:

A YES

Adams, Nigel
Afroimi, Bin
Afriyie, Adam
Aldous, Peter
Allan, Lucy
Allen, Heidi
Andrew, Stuart
Argar, Edward
Atkins, Victoria
Bacon, Mr Richard
Badenoch, Mrs Kemi
Baker, Mr Steve
Baldwin, Harriett
Barclay, Stephen
Baron, Mr John
Bebb, Guto
Bellingham, Sir Henry
Benyon, rh Richard
Beresford, Matt
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
Breer, Jack
Bridge, John
Brine, Steve

Turley, Anna
Turner, Karl
Twigg, Stephen
Twist, Liz
Umunna, Chuka
Vaz, rh Keith
Vaz, Valerie
Walker, Thelma
Watson, Tom
West, Catherine
Western, Matt
Whitehead, Dr Alan
Whitfield, Martin
Whitford, Dr Philippa
Williams, Hywel
Williams, Dr Paul
Williamson, Chris
Wilson, Phil
Wishart, Pete
Woodcock, John
Yasin, Mohammad
Zeichner, Daniel

Tellers for the Noes:
Nic Dakin and
Nick Smith

Question accordingly agreed to.

Lords amendment 1 disagreed to.

Division No. 181

[8.20 pm]

AYES

Adams, Nigel
Afroimi, Bin
Afriyie, Adam
Aldous, Peter
Allan, Lucy
Allen, Heidi
Andrew, Stuart
Argar, Edward
Atkins, Victoria
Bacon, Mr Richard
Badenoch, Mrs Kemi
Baker, Mr Steve
Baldwin, Harriett
Barclay, Stephen
Baron, Mr John
Bebb, Guto
Bellingham, Sir Henry
Benyon, rh Richard
Beresford, Matt
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
Breer, Jack
Bridge, John
Brine, Steve

Turley, Anna
Turner, Karl
Twigg, Stephen
Twist, Liz
Umunna, Chuka
Vaz, rh Keith
Vaz, Valerie
Walker, Thelma
Watson, Tom
West, Catherine
Western, Matt
Whitehead, Dr Alan
Whitfield, Martin
Whitford, Dr Philippa
Williams, Hywel
Williams, Dr Paul
Williamson, Chris
Wilson, Phil
Wishart, Pete
Woodcock, John
Yasin, Mohammad
Zeichner, Daniel

Tellers for the Noes:
Nic Dakin and
Nick Smith

Question accordingly agreed to.

Lords amendment 1 disagreed to.

Motion made, and Question put, That this House disagrees with Lords amendment 2.—[The Solicitor General.]
Heald, rh Sir Oliver
Dineage, Caroline
Djanogly, Mr Jonathan
Doncherry, Leo
Dodds, rh Nigel
Donaldson, rh Sir Jeffrey M.
Donelan, Michelle
Donies, Ms Nadine
Double, Steve
Dowden, Oliver
Dowle-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
Evannett, rh Sir David
Fabricant, Michael
Fallon, rh Sir Michael
Field, rh Frank
Field, rh Mark
Ford, Vicky
Foster, Kevin
Fox, rh Dr Liam
Francois, rh Mr Mark
Frazer, Lucy
Freeman, George
Frey, Mike
Fysh, Mr Marcus
Gale, Sir Roger
Garnier, Mark
Gauke, rh Mr David
Ghani, Ms Nusrat
Gibb, rh Nick
Gillan, rh Dame Cheryl
Givan, Paul
Glen, John
Goldsmith, Zac
Goodwill, rh Mr Robert
Gove, rh Michael
Graham, Luke
Graham, Richard
Grant, Bill
Grant, Mrs Helen
Gray, James
Grayling, rh Chris
Green, Chris
Green, Chris
Green, rh Damian
Greening, rh Justine
Grieve, rh Mr Dominic
Griffiths, Andrew
Gyimah, Mr Sam
Hair, Kirstene
Hallon, 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
Hoey, Kate
Hollinrake, George
Hollinrake, Kevin
Hollobone, Mr Philip
Holloway, Adam
Hopkins, Kelvin
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, Sir Bernard
Jenkyns, Andrea
Jenrick, Robert
John, rh Mr Boris
Johnson, Dr Caroline
Johnson, Gareth
Johnson, Joseph
Jones, Andrew
Jones, rh Mr David
Jones, rh Mr Marcus
Kaczynski, Daniel
Keegan, Gillian
Kennedy, Seema
Kerr, Stephen
Knight, rh Sir Greg
Knight, Rhidian
Kwarteng, Kwasi
Lamont, John
Lancaster, rh Mark
Latham, Mrs Pauline
Leadsom, rh Andrea
Lee, Dr Phillip
Lefroy, Jeremy
Leigh, Sir Edward
Letwin, rh Sir Oliver
Lewer, Andrew
Lewis, rh Brandon
Lewis, rh Dr Julian
Liddell-Grainger, Mr Iain
Liddington, rh Mr David
Little Pengelly, Emma
Lopez, Julia
Lopresti, Jack
Lord, rh Sir Jonathan
Loughton, Tim
Mackintosh, Craig
Maclean, Rachel
Main, Mrs Anne
Mak, Alan
Malthouse, Kit
Mann, Scott
Masterton, Paul
May, Mr Alexander
Maynard, Paul
McLoughlin, rh Sir Patrick
McPartland, Stephen
McVey, rh Ms Esther
Menzies, Mark
Mercer, Johnny
Merriman, Huw
Metcalfe, Stephen
Miller, rh Mrs Maria
Milling, Amanda
Mills, Nigel
Millon, 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, rh 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 Prithviraj
Paterson, rh Mr Owen
Pawsey, Mark
Penning, rh Sir Mike
Penrose, John
Percy, Andrew
Perry, rh Claire
Philip, Chris
Pincher, Christopher
Poulter, Dr Dan
Pow, Rebecca
Premis, Victoria
Prisk, rh Mr Mark
Pritchard, Mark
Purseglove, Tom
Quin, Jeremy
Quince, Will
Raab, Dominic
Redwood, rh John
Rees-Mogg, Mr Jacob
Robertson, Mr Laurence
Robinson, Gavin
Robinson, Mary
Rosindell, Andrew
Ross, Douglas
Rowley, Lee
Rudd, rh Amber
Rutley, David
Sandbach, Antoinette
Scully, Paul
Seely, Mr Bob
Selous, Andrew
Shannon, Jim
Shapps, rh Grant
Sharma, Alok
Shelbrooke, Alec
Simpson, David
Simpson, rh Mr Keith
Skidmore, Chris
Skinner, Mr Dennis
Smith, Chloe
Smith, Henry
Smith, rh Julian
Smith, Rhys
Soames, rh Sir Nicholas
Spelman, rh Dame Caroline
Spencer, Mark
Stevenson, John
Stewart, Bob
Stewart, Ian
Stewart, Rory
Stride, rh Mel
Stringer, Graham
Sturt, Graham
Sturdy, Julian
Sunak, Rishi
Swayney, rh Sir Desmond
Swire, rh Sir Hugo
Symes, Sir Robert
Thomas, Derek
Thomson, Ross
Throup, Maggie
Tohurst, Kelly
Tomlinson, Justin
Tomlinson, Michael
Tracey, Craig
Tredinnick, David
Trevelyan, Mrs Anne-Marie
Truss, rh Elizabeth
Tugendhat, Tom
Vaizey, rh Mr Edward
Vara, Mr Shailesh
Vickers, Martin
Villiers, rh Theresa
Walker, Mr Charles
Walker, Mr Robin
Wallace, rh Mr Ben
Warburton, David
Warman, Matt
Watling, Giles
Whately, Helen
Wheeler, Mrs Heather
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

Tellers for the Ayes: Craig Whittaker and Andrew Stephenson

NOES
Barron, rh Sir Kevin
Beckett, rh Margaret
Benn, rh Hilary
Berger, Luciana
Betts, Mr Clive
Black, Mhairi
Blackman, Kirsty
Blackman-Woods, Dr Roberta
Blomfield, Paul
Fellows, Marion
Farron, Tim
Evans, Chris
Esterson, Bill
Buck, Ms Karen
Burden, Richard
Burgon, Richard
Butler, Dawn
Byrne, Rh Liam
Cable, Rh Sir Vince
Caddwy, Ruth
Cameron, Dr Lisa
Campbell, Rh Mr Alan
Carmichael, Rh Mr Alistair
Chapman, Sarah
Charalambous, Bambos
Cherry, Joanna
Clarke, Rh Mr Kenneth
Clywd, Rh Ann
Coaker, Vernon
Coffey, Ann
Cooper, Julie
Cooper, Rosie
Corbyn, Rh Jeremy
Cowburn, Richie
Coyle, Neil
Crawley, Angela
Creagh, Mary
Creasy, Stella
Cruddas, Jon
Cryer, John
Cumnings, Judith
Cunningham, Alex
Cunningham, Rh Mr Jim
Davey, Rh Sir Edward
David, Wayne
Davies, Geraint
Day, Martyn
De Cordova, Marsha
De Piero, Gloria
Debbonaire, Thangam
Dent Coad, Emma
Dhesi, Mr Tanmanjeet Singh
Docherty-Hughes, Martin
Dodds, Annelles
Doughty, Stephen
Dowd, Peter
Drew, Dr David
Dromey, Jack
Duffield, Rosie
Eagle, Ms Angela
Eagle, Maria
Edwards, Jonathan
Ellford, Clive
Elliott, Julie
Ellman, Dame Louise
Elmore, Chris
Esterson, Bill
Evans, Chris
Farrelly, Paul
Farron, Tim
Fellows, Marion
Fitzpatrick, Jim
Fletcher, Colleen
Flint, Rh Caroline
Fovargue, Yvonne
Foxcroft, Vicky
Firth, James
Furniss, Gill
Gaffney, Hugh
Gapes, Mike
Gardiner, Barry
George, Ruth
Gethins, Stephen
Gibson, Patricia
Gill, Preet Kaur
Glindon, Mary
Goodman, Helen
Grady, Patrick
Grant, Peter
Gray, Neil
Green, Kate
Greenwood, Lilian
Greenwood, Margaret
Griffith, Nia
Grogan, John
Gwynne, Andrew
Hamilton, Fabian
Hardman, Mr Kenneth
Harman, Rh Ms Harriet
Harris, Carolyn
Healy, Helen
Hayman, Sue
Healey, Rh John
Hendrick, Sir Mark
Hendry, Drew
Heplin, Mr Stephen
Hermon, Lady
Hill, Mike
Hillier, Meg
Hobhouse, Wera
Hodge, Rh Dame Margaret
Hodgson, Mrs Sharon
Hollem, Kate
Howarth, Rh Mr George
Hug, Dr Rupa
Hussain, Imran
Jardine, Christine
Jarvis, Dan
Johnson, Diana
Jones, Darren
Jones, Gerald
Jones, Graham P.
Jones, Helen
Jones, Rh 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
Lamb, Rh Norman
Lammy, Rh Mr David
Lavery, Ian
Law, Chris
Lee, Karen
Leslie, Mr Chris
Lewell-Buck, Mrs Emma
Lewis, Clive
Lewis, Rh Mr Iwan
Linden, David
Lloyd, Stephen
Lloyd, Tony
Long Bailey, Rebecca
Lucas, Caroline
Lucas, Ian C.
Lynch, Holly
MacNeil, Angus Brendan
Madders, Justin
Mahmood, Mr Khalid
Mahmood, Shabana
Malhotra, Seema
Marsden, Gordon
Martin, Sandy
Maskell, Rachael
Matheson, Christian
Mc Nulty, John
McCabe, Steve
McCarthy, Kerry
McDonagh, Siobhain
McDonald, Andy
McDonald, Stewart Malcolm
McDonald, Stuart C.
McDonnell, Rh John
McPadden, Rh Mr Pat
McGinn, Connor
McGovern, Alison
McInnes, Liz
McKinnell, Catherine
McMahon, Jim
McMorris, Anna
Mears, Ian
Milliband, 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
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
Reyes, Ellie
Reyes, Rachel
Reynolds, Emma
Reynolds, Jonathan
Rimmer, Ms Marie
Robinson, Mr Geoffrey
Rodda, Matt
Rowley, Danielle
Ruane, Chris
Russell-Moyle, Lloyd
Ryan, Rh Joan
Saville Roberts, Liz
Shah, Naz
Sharma, Mr Virendra
Sheerman, Mr Barry
Sheppard, Tommy
Sherriff, Paula
Shuker, Mr Gavin
Siddiq, Tulip
Slaughter, Andy
Smeth, Ruth
Smith, Angela
Smith, Cat
Smith, Eleanor
Smith, Jeff
Smith, Rh Laura
Smith, Owen
Smyth, Karin
Snel, Garet
Sobel, Alex
Soubry, Rh Anna
Spellar, Rh John
Starmer, 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
Trickett, Jon
Turley, Anna
Turner, Karl
Twigg, Stephen
Twist, Liz
Unumna, Chuka
Vaz, Rh Keith
Vaz, Valerie
Walker, Thelma
Watson, Tom
West, Catherine
Western, Matt
Whitehead, Dr Alan
Whitfield, Martin
Whitting, Dr Philippa
Williams, Hyswel
Williams, Dr Paul
Williamson, Chris
Wilson, Phil
Wishart, Pete
Woodcock, John
Yasin, Mohammad
Zeichner, Daniel

Tellers for the Noes:
Nic Dakin and
Nick Smith
Lords amendment 2 disagreed to.
Government amendments (a) and (b) made in lieu of Lords amendments 1 and 2.

Clause 5

EXCEPTIONS TO SAVINGS AND INCORPORATION

Motion made, and Question put, That this House disagrees with Lords amendment 5.—(The Solicitor General.)

The House divided: Ayes 321, Noes 301.

Division No. 182] [8.33 pm

AYES

Adams, Nigel
Afroliami, Tim
Ahrije, Adam
Aldous, Peter
Allan, Lucy
Allen, Heidi
Andrew, Stuart
Argar, Edward
Atkins, Victoria
Bacon, Mr Richard
Badenoch, Mrs Kemi
Baker, Mr Steve
Baldwin, Lucy
Barclay, Stephen
Baron, Mr John
Bebb, Guto
Bellingham, Sir Henry
Benyon, rh Richard
Beresford, Sir Paul
Berry, Jake
Blackman, Bob
Blunt, Crispin
Boles, Nick
Bone, Mr Peter
Bottomley, Sir Peter
Bowie, Andrew
Bradley, Ben
Bradley, rh Karen
Brady, Sir Graham
Braverman, Suella
Breereton, Jack
Bridge, Andrew
Brine, Steve
Brookshire, 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
Cleaver, James
Cliffon-Brown, Sir Geoffrey
Coffey, Dr Thérèse

Glen, John
Goldsmith, Zac
Goodwill, rh Mr Robert
Gove, rh Michael
Graham, Luke
Graham, Richard
Grant, Bill
Grant, Mrs Helen
Gray, James
Grayling, rh Chris
Green, Chris
Green, rh Damian
Greening, rh Justine
Grieve, rh Mr Dominic
Griffiths, Andrew
Gyimah, Mr Sam
Hair, Kirstene
Hallon, 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
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, Margot
Javid, rh Sajid
Jayawardena, Mr Ranil
Jenkin, Sir Bernard
Jenkyns, Andrea
Jenrick, Robert
Johnson, rh Boris
Johnson, Dr Caroline
Johnson, Gareth
Johnson, Joseph
Jones, Andrew
Jones, rh Mr David
Jones, Mr Marcus
Kacwczynski, Daniel
Keegan, 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 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
May, rh Mrs Theresa
Maynard, Paul
McLoughlin, rh Sir Patrick
McPartland, Stephen
McVeY, rh Ms Esther
Menzies, Mark
Mercer, Johnny
Merriman, Huw
Metcalfe, Stephen
Miller, rh Mrs Maria
Milling, Amanda
Mills, Nigel
Milton, rh Anne
Mitchell, rh Mr Andrew
Moore, Damien
Mordaunt, 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
Patonser, rh Mr Owen
Pawsey, Mark
Penning, rh Sir Mike
Penrose, John
Percy, Andrew
Perry, rh Claire
Philp, Chris
Pincher, Christopher
Poulter, Dr Dan
Pow, Rebecca
Prentis, Victoria
Prisk, Mr Mark
Pritchard, Mark
Pursglove, Tom
Quin, Jeremy
Quin, Will
Burgon, Richard
Buck, Ms Karen
Bryant, Chris
Brown, Lyn
Brown, Alan
Brock, Deidre
Brake, Tom
Bradshaw, Mr Ben
Brabin, Tracy
Brabin, Tracey
Buck, Mr Mark
Burdens, Richard
Burgon, Richard
Syms, Sir Robert
Thomas, Derek
Thomson, Ross
Throup, Maggie
Tohill, Kelly
Tomlinson, Justin
Tomlinson, Michael
Tracey, Craig
Tredinnick, David
Trevelyan, Mrs Anne-Marie
Truss, rh Elizabeth
Tugendhat, Tom
Vaizey, rh Mr Edward
Vara, Mr Shailesh
Vickers, Martin
Villiers, rh Theresa
Walker, Mr Charles
Walker, rh Mr Robin
Wallace, rh Mr Ben
Warburton, David
Warman, Matt
Watling, Giles
Whately, Helen
Wheler, Mrs Heather
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

Cunningham, Alex
Cunningham, Mr Jim
davey, rh Sir Edward
David, Wayne
Davies, Geraint
Day, Martyn
De Cordova, Marsha
De Piero, Gloria
Debonnaire, Tringam
Dent Coad, Emma
Dhesi, Mr Tammanjeet 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, Dame Louise
Elmore, Chris
Esterson, Bill
Eavers, Chris
Farrelly, Paul
Farron, Tim
Fellows, Marion
Field, rh Frank
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
Goodman, Helen
Grady, Patrick
Grant, Peter
Gray, Neil
Green, Kate
Greenwood, Lilian
Greenwood, Margaret
Griffith, Nia
Grogan, John
Gwynee, Andrew
Hamilton, Fabian
Hardy, Emma
Harman, rh Ms Harriet
Harris, Carolyn
Hayes, Helen
Hayman, Sue
Healey, rh John
Hendrick, Sir Mark
Hendry, Drew
Hepburn, Mr Stephen
Hernon, Lady
Hill, Mike
Hillier, Meg
Hobhouse, Wera
Hodge, rh Dame Margaret

Hodgson, Mrs Sharon
Hoe, Kate
Hollern, Kate
Hopkins, Kelvin
Howarth, rh Mr George
Huq, Dr Rupa
Hussain, Imran
Jardine, Christine
Jarvis, Dan
Johnson, Diana
Jones, Darren
Jones, Gerald
Jones, Graham
P.
Jones, Helen
Jones, rh Mr Kevan
Jones, Sarah
Jones, Susan Elan
Kane, Mike
Keeley, Barbara
Kendall, Liz
Khan, Atzal
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
Levell-Buck, Mrs Emma
Lewis, Clive
Lewis, Mr Ivan
Linden, David
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
McCany, Steve
McCarthy, Kerry
McDonagh, Siobhain
McDonald, Andy
McDonald, Stewart Malcolm
McDonald, Stuart
C.
McDonnell, rh John
McFadden, rh Mr Pat
McGinn, Conor
McGovern, Alison
McInnes, Liz
McKinnell, Catherine
McMahon, Jim
McMorrin, Anna
Mearns, Ian
Miliband, rh Edward
Monaghan, Carol
Moon, Mrs Madeleine
Mr Speaker: We are about to move on to Lords amendment 53, but I have been advised—I am sure the Opposition Chief Whip is listening carefully at this point—that it is the right hon. Gentleman’s birthday today. I am sure he enjoys nothing more than to spend his birthday in multiple Divisions. I wish him a happy birthday.

Schedule 1

FURTHER PROVISION ABOUT EXCEPTIONS TO SAVINGS AND INCORPORATION

Motion made, and Question put, That this House disagrees with Lords amendment 53.—(The Solicitor General.)
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
Hollonbone, 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, Sir Bernard
Jenkyns, Andrea
Jerneck, Robert
Johnson, rh Boris
Johnson, Dr Caroline
Johnson, 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, Mrs Pauline
Leadsom, rh Andrea
Lee, Dr Phillip
Lefroy, Jeremy
Leigh, Sir Edward
Lewin, rh Sir Oliver
Lewer, Andrew
Lewis, rh Dr Brandon
Lewis, rh Dr Julian
Liddell-Grainger, Mr Ian
Lidington, rh Mr David
Little Pengelly, Emma
Lopez, Julia
Lopresti, Jack
Lord, Mr Jonathan
Loughlin, Tom
Mackinlay, Craig
Maclean, Rachel
Main, Mrs Anne
Mak, Alan
Malthouse, Kit
Mann, Scott
Masterton, Paul
Maynard, Paul
McLaughlin, rh Sir Patrick
McPartland, Stephen
McVey, rh Ms Esther
Menzies, Mark
Mercer, Johnny
Merriman, Huw
Metcalfe, Stephen
Miller, rh Mrs Maria
Millin, 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
Paterson, rh Mr Owen
Pawsey, Mark
Penning, rh Sir Mike
Penrose, John
Percy, Andrew
Perry, rh Claire
Philp, Chris
Pincher, Christopher
Poulter, Dr Dan
Pow, Rebecca
Prentis, rh Victoria
Pritsker, Mark
Pursglove, Tom
Quin, Jeremy
Quince, Will
Raab, Dominic
Redwood, rh John
Rees-Mogg, Mr Jacob
Robertson, Mr Laurence
Robinson, Gavin
Robinson, Mary
Rosindell, Michael
Ross, Douglas
Rowley, Lee
Rudd, rh Amber
Runley, David
Sambach, 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, rh Rosston
Soames, rh Sir Nicholas
Soubry, rh Anna
Spelman, rh Dame Caroline
Spencer, Mark
Stevenson, John
Stewart, Bob
Stewart, lain
Stewart, Rory
Stride, rh Mel
Stuart, Graham
Sturdy, Julian
Sunak, Rishi
Swayne, rh Sir Desmond
Smere, rh Sir Hugo
Syms, Sir Robert
Thomas, Derek
Thomson, Ross
Throup, Maggie
Tolhurst, Kelly
Tomlinson, Justin
Tomlinson, Michael
Tracey, Craig
Tredinnick, David
Trevelyan, Mrs Anne-Marie
Truss, rh Elizabeth
Tugendhat, Tom
Vaizey, rh Mr Edward
Vara, Mr Shailesh

NOES
Abbott, rh Ms Diane
Abrahams, Debbie
Ali, Rushanara
Allin-Khan, Dr Rosena
Amesbury, Mike
Antoniacci, Tonia
Ashworth, Jonathan
Austin, Ian
Bardell, Hannah
Barron, rh Sir Victoria
Beckett, rh Margaret
Benn, rh Hilary
Berger, Luciana
Betts, Mr Clive
Black, Mhairi
Blackman, Kirsty
Blackman-Woods, Dr Roberta
Blomfield, Paul
Brabin, Tracy
Bradshaw, rh Mr Ben
Brake, rh Tom
Brennan, Kevin
Brock, Deidre
Brown, Alan
Brown, Lyn
Brown, rh Mr Nicholas
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgen, Richard
Butler, Dawn
Byrne, rh Liam
Cable, rh Sir Vince
Caddy, Ruth
Cameron, Dr Lisa
Campbell, rh Mr Alan
Campbell, Mr Ronnie
Carden, Dan
Carmichael, rh Mr Alistair
Champion, Sarah
Chapman, Douglas
Chapman, Jenny
Charalamous, Bambos
Cherry, Joanna
Clarke, rh Mr Kenneth
Clwyd, rh Ann

Vickers, Martin
Villiers, rh Theresa
Walker, Mr Charles
Walker, Mr Robin
Wallace, rh Mr Ben
Warburton, David
Warman, Matt
Walling, Giles
Whately, Helen
Wheeler, Mrs Heather
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

Tellers for the Ayes:
Craig Whittaker and Andrew Stephenson
The House divided: Ayes 318, Noes 301.

Motion made, and Question put, That this House disagrees with Lords amendment 4.—(The Solicitor General.)

The House divided: Ayes 318, Noes 301.

Division No. 184] [9.2 pm

AYES

Afolami, Bim
Afriyie, Adam
Aldous, Peter
Alian, Lucy
Allen, Heidi
Andrew, Stuart
Argar, Edward
Atkins, Victoria
Bacon, Mr Richard
Badenoch, Mrs Kemi
Baker, Mr Steve
Baldwin, Harriett
Barclay, Stephen
Baron, Mr John
Bebb, Guto
Bellingham, Sir Henry
Benyon, rh Richard
Beresford, Sir Paul
Berry, Jake
Blackman, Bob
Blunt, Crispin
Boles, Nick
Bone, Mr Peter
Bottomley, Sir Peter
Bowie, Andrew
Bradley, Ben
Bradley, rh Karen
Brady, Sir Graham
Braverman, Suella
Breerton, Jack
Bridgen, Andrew
Brine, Steve
Brooke, Nick
Buckland, Robert
Burghart, Alex
Burns, Conor

C:

Tami, Mark
Thewliss, Alison
Thomas, Gareth
Thomas-Symonds, Nick
Thornberry, rh Emily
Timms, rh Stephen
Trickett, Jon
Turley, Anna
Turner, Karl
Twigg, Stephen
Twist, Liz
Umunna, Chuka
Vaz, rh Keith
Vaz, Valerie
Walker, Thelma
Watson, Tom
West, Catherine
Western, Matt
Whitehead, Dr Alan
Whitfield, Martin
Whitford, Dr Philippa
Williams, Hywel
Williams, Dr Paul
Williamson, Chris
Wilson, Phil
Wishart, Pete
Woodcock, John
Yasin, Mohammad
Zeichner, Daniel

Tellers for the Noes:

Nic Dakin and Nick Smith

Question accordingly agreed to.
Lords amendment 53 disagreed to.
Government amendment (a) made in lieu of Lords amendment 53.

After Clause 3

ENHANCED PROTECTION FOR CERTAIN AREAS OF EU LAW

Motion made, and Question put, That this House disagrees with Lords amendment 4.—(The Solicitor General.)

The House divided: Ayes 318, Noes 301.

Division No. 184] [9.2 pm

AYES

Afolami, Bim
Afriyie, Adam
Aldous, Peter
Alian, Lucy
Allen, Heidi
Andrew, Stuart
Argar, Edward
Atkins, Victoria
Bacon, Mr Richard
Badenoch, Mrs Kemi
Baker, Mr Steve
Baldwin, Harriett
Barclay, Stephen
Baron, Mr John
Bebb, Guto
Bellingham, Sir Henry
Benyon, rh Richard
Beresford, Sir Paul
Berry, Jake
Blackman, Bob
Blunt, Crispin
Boles, Nick
Bone, Mr Peter
Bottomley, Sir Peter
Bowie, Andrew
Bradley, Ben
Bradley, rh Karen
Brady, Sir Graham
Braverman, Suella
Breerton, Jack
Bridgen, Andrew
Brine, Steve
Brooke, Nick
Buckland, Robert
Burghart, Alex
Burns, Conor
Tellers for the Ayes:

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 Greg
Clarke, Mr Simon
Cash, Sir William
Cartlidge, James
Cairns, rh Alun
Burt, rh Alistair
Goldsmith, Zac
Goodwill, rh Mr Robert
NOES

Abbott, rh Ms Diane
Abrahams, Debbie
Ali, Rushanara
Allin-Khan, Dr Rosena
Amesbury, Mike
Antoniazzii, Tonia
Ashworth, Jonathan
Austin, Ian
Bardell, Hannah
Barron, rh Sir Kevin
Beckett, rh Margaret
Benn, rh Hilary
Berger, Luciana
Betts, Mr Clive
Black, Mhairi
Blackman-Kirby
Blackman-Woods, Dr Roberta
Blomfield, Paul
Brabin, Tracy
Bradshaw, rh Mr Ben
Brake, rh Tom
Brennan, Kevin
Brock, Deidre
Brown, Alan
Brown, Lyn
Brown, rh Mr Nicholas
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Richard
Butler, Dawn
Byrne, rh Liam
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, Douglas
Chapman, Jenny
Charalambous, Bambos
Cherry, Joanna
Clarke, rh Mr Kenneth
Chwyd, rh Ann
Coaker, Vernon
Coffey, Ann
Cooper, Julie
Cooper, rh Rosie
Corbyn, rh Jeremy
Cowan, Ronnie
Coyle, Neil
Crawley, Angela
Creagh, Mary
Creasy, Stella
Craddas, Jon
Cryer, John
Cumnings, Judith
Cunningham, Alex
Cunningham, Mr Jim
Davey, rh Sir Edward
David, Wayne
Davies, Geraint
Day, Martyn
De Cordova, Marsha
De Piero, Gloria
Debnarain, Thangam
Dent Coad, Emma
Dhesi, Mr Tanmanjeet Singh

Docherty-Hughes, Martin
Dodds, Anneliese
Dougherty, Stephen
Dowd, Peter
Drew, Dr David
Dromey, Jack
Duffield, Rosie
Eagle, Ms Angela
Eagle, Maria
Edwards, Jonathan
Elford, Clive
Elliot, Julie
Elliott, Dame Louise
Elmore, Chris
Esterton, Bill
Evans, Chris
Farrelly, Paul
Farron, Tim
Fellows, Marion
Fitzpatrick, Jim
Fletcher, Colleen
Flint, rh Caroline
Fovargue, Yvonne
Foxcroft, Vicky
Firth, James
Furniss, Gill
Gaffney, Hugh
Gapes, Mike
Gardiner, Barry
George, Ruth
Gethins, Stephen
Gibson, Patricia
Gill, Preet Kaur
Gilmour, Mary
Godsiff, Mr Roger
Goodman, Helen
Grady, Patrick
Grant, Peter
Gray, Neil
Green, Kate
Greenwood, Lilian
Greenwood, Margaret
Grieve, rh Mr Dominic
Griffith, Nia
Grogan, John
Gwynne, Andrew
Hamilton, Fabian
Hardy, Emma
Harman, rh Ms Harriet
Harries, Carolyn
Hayes, Helen
Hayman, Sue
Healey, rh John
Hendrick, Sir Mark
Hendry, Drew
Hepburn, rh Stephen
Hermon, Lady
Hill, Mike
Hillier, Meg
Hobhouse, Wera
Hodge, rh Dame Margaret
Hodgson, Mrs Sharon
Hoey, Kate
Hollem, Kate
Hopkins, Kelvin
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, rh Mr Kevan
Jones, Sarah
Jones, Susan Elan
Kane, Mike
Keeley, Barbara
Kendall, Liz
Khan, Afzal
Kilen, 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
Linden, David
Lloyd, Tony
Long Bailey, Rebecca
Lucas, Caroline
Lucas, Ian C.
Lynch, Holly
MacNeil, Angus Brendan
Madders, Justin
Mahmood, Mr Khalid
Mahmood, Shabana
Malhotra, Seema
Mann, John
Marsden, Gordon
Martin, Sandy
Maskell, Rachael
Matheson, Christian
Mc Nally, John
McCabe, Steve
McCarthy, Barry
McDonagh, Siobhain
McDonald, Andy
McDonald, Stewart Malcolm
McDonald, Stuart C.
McDonnell, rh John
McFadden, rh Mr Pat
McGinn, Conor
McGovern, Alison
McInnes, Liz
McKinnell, Catherine
McMahon, Jim
McMorran, Anna
Mearns, 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
Perkins, Toby
Phillips, Jess
Phillipson, Bridget
Pidcock, Laura
Platt, Jo
Pollard, Luke
Pound, Stephen
Powell, Lucy
Qureshi, Yasmin
Rashid, Faisal
Rayner, Angela
Reed, Mr Steve
Rees, Christina
Reeves, Ellie
Reeves, Rachel
Reynolds, Emma
Reynolds, Jonathan
Robinson, Mr Geoffrey
Rodd, Matt
Rowley, Danielle
Ruanu, Chris
Russell-Moyle, Lloyd
Ryan, rh Joanne
Saville Roberts, Liz
Shah, Naz
Sharma, Mr Virendra
Sheerman, Mr Barry
Shепп, 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, Owen
Smyth, Karin
Snell, Gareth
Sobel, Alex
Soubry, rh Anna
Speallar, rh John
Starmer, 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
Trickett, Jon
Turley, Anna
Turner, Karl
Twigg, Stephen
Twist, Liz
Ummuna, Chuka
Vaz, rh Keith
Vaz, Valerie
The House divided: Ayes 320, Noes 296.

Division No. 185] [9.16 pm

**AYES**

Afolami, Bim
Afriyie, Adam
Aldous, Peter
Allan, Lucy
Allen, Heidi
Andrew, Stuart
Argar, Edward
Atkins, Victoria
Bacon, Mr Richard
Badenoch, Mrs Kemi
Baker, Mr Steve
Badenoch, Mrs Kemi
Barry, Luke
Barnes, Nick
Bone, Mr Peter
Bottomley, Sir Peter
Bowie, Andrew
Bradley, Ben
Brady, rh Karen
Brady, Sir Graham
Braverman, Suella
Breereton, Jack
Bridge, Andrew
Brine, Steve
Brokenshire, rh James
Bruce, Fiona
Buckland, Robert
Burghart, Alex
Burns, Conor
Burt, rh Alistair
Caims, rh Alun
Campbell, Mr Gregory
Cartidge, James
Cash, Sir William
Caulfield, Maria
Chalk, Alex
Williamson, Chris
Wilson, Phil
Wishart, Pete
Woodcock, John
Yasin, Mohammad
Zeichner, Daniel

Tellers for the Noes:
Nic Dakin and Nick Smith

**Question accordingly agreed to.**

Lords amendment 4 disagreed to.

**After Clause 3**

**MAINTENANCE OF EU ENVIRONMENTAL PRINCIPLES AND STANDARDS**

Motion made, and Question put, That this House disagrees with Lords amendment 3.——(The Solicitor General.)

The House divided: Ayes 320, Noes 296.

Division No. 185] [9.16 pm

**AYES**

Afolami, Bim
Afriyie, Adam
Aldous, Peter
Allan, Lucy
Allen, Heidi
Andrew, Stuart
Argar, Edward
Atkins, Victoria
Bacon, Mr Richard
Badenoch, Mrs Kemi
Baker, Mr Steve
Badenoch, Mrs Kemi
Barry, Luke
Barnes, Nick
Bone, Mr Peter
Bottomley, Sir Peter
Bowie, Andrew
Bradley, Ben
Brady, rh Karen
Brady, Sir Graham
Braverman, Suella
Breereton, Jack
Bridge, Andrew
Brine, Steve
Brokenshire, rh James
Bruce, Fiona
Buckland, Robert
Burghart, Alex
Burns, Conor
Burt, rh Alistair
Caims, rh Alun
Campbell, Mr Gregory
Cartidge, James
Cash, Sir William
Caulfield, Maria
Chalk, Alex
Williamson, Chris
Wilson, Phil
Wishart, Pete
Woodcock, John
Yasin, Mohammad
Zeichner, Daniel

Tellers for the Noes:
Nic Dakin and Nick Smith

**Question accordingly agreed to.**

Lords amendment 4 disagreed to.

**After Clause 3**

**MAINTENANCE OF EU ENVIRONMENTAL PRINCIPLES AND STANDARDS**

Motion made, and Question put, That this House disagrees with Lords amendment 3.——(The Solicitor General.)
Penning, rh Sir Mike
Penrose, John
Percy, Andrew
Perry, rh Claire
Philp, Chris
Pincher, Christopher
Poulter, Dr Dan
Pow, Rebecca
Prentis, Victoria
Prisk, Mr Mark
Pritchard, Mark
Pursglove, Tom
Quin, Jeremy
Quince, Will
Raab, Dominic
Redwood, rh John
Rees-Mogg, Mr Jacob
Robertson, Mr Laurence
Robinson, Gavin
Robinson, Mary
Rosindell, Andrew
Ross, Douglas
Rowley, Lee
Rudd, rh Amber
Rutley, David
Sandbach, Antoinette
Scully, Paul
Seely, rh Mr Bob
Selous, Andrew
Shannon, Jim
Shapps, rh Grant
Sharma, Alok
Shellbrooke, Alec
Simms, T
Simons, rh Mr Keith
Skidmore, Chris
Smith, Chloe
Smith, Henry
Smith, rh Julian
Smith, Rosyton
Soubry, rh Anna
Spelman, rh Dame Caroline
Spencer, Mark
Stephenson, Andrew
Stevenson, John
Stewart, Bob
Stewart, Iain
Stewart, Rory
Stride, rh Mel
Stuart, Graham
Sturdy, Julian
Sunak, Rishi
Swaney, rh Sir Desmond
Swire, rh Sir Hugo
Syms, Sir Robert
Thomas, Derek
Thomson, Ross
Throup, Maggie
Tohill, Kelly
Tomlinson, Justin
Tomlinson, Michael
Tracey, Craig
Tredinnick, David
Trevelyan, Mrs Anne-Marie
Truss, rh Elizabeth
Tugendhat, Tom
Vaizey, rh Mr Edward
Vara, Mr Shualseh
Vickers, Martin
Villiers, rh Theresa
Walker, Mr Charles
Walker, Mr Robin
Wallace, rh Mr Ben
Warburton, David
Warman, Matt
Watling, Giles
Whately, Helen
Wheeler, Mrs Heather
Whitaker, 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

Tellers for the Ayes:
Mike Freer and
Nigel Adams

NOES
Abbott, rh Ms Diane
Abrahams, Debbie
Ali, Rushanara
Allin-Khan, Dr Rosena
Amesbury, Mike
Antoniacci, Tonia
Ashworth, Jonathan
Austin, Ian
Bardell, Hannah
Barron, rh Sir Kevin
Beckett, Margaret
Benn, rh Hilary
Berger, Luciana
Betts, Mr Clive
Black, Mhairi
Blackman, Kirsty
Blackman-Woods, Dr Roberta
Blomfield, Paul
Brabin, Tracy
Bradshaw, rh Mr Ben
Brake, rh Tom
Brennan, Kevin
Brock, Deidre
Brown, Alan
Brown, Lyn
Brown, rh Mr Nicholas
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Richard
Butler, Dawn
Byrne, rh Lian
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, Douglas
Chapman, Jenny
Charalamous, Bambos
Cherry, Joanna
Clwyd, rh Ann
Coaker, Vernon
Coffey, Ann
Cooper, Julie
Cooper, Rosie
Cooper, rh Yvette
Corbyn, rh Jeremy
Cowan, Ronnie
Coyle, Neil
Crawley, Angela
Creagh, Mary
Creasy, Stella
Craddus, Jon
Cryer, John
Cummings, Judith
Cunningham, Alex
Cunningham, Mr Jim
Davey, rh Sir Edward
David, Wayne
Davies, Geraint
Day, Martyn
De Cordova, Marsha
De Piero, Gloria
Debbonaire, Thangam
Dent Coad, Emma
Dhesi, Mr Tanmanjeet Singh
Docherty-Hughes, Martin
Dodds, Anneliese
Doughty, Stephen
Dowd, Peter
Drew, Dr David
Dromey, Jack
Duffield, Rosie
Eagle, Ms Angela
Eagle, Maria
Edwards, Jonathan
Efford, Clive
Elliot, Julie
Ellman, Dame Louise
Elmore, Chris
Esterson, Bill
Evans, Chris
Farrelly, 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
Glinon, Mary
Godsiff, Mr Roger
Goodman, Helen
Grady, Patrick
Grant, Peter
Gray, Neil
Green, Kate
Greenwood, Lilian
Greenwood, Margaret
Griffith, Nia
Grogan, John
Gwynne, Andrew
Hamilton, Fabian
Hardy, Emma
Harman, rh Ms Harriet
Harris, Carolyn
Hayes, Helen
Hayman, Sue
Healey, rh John
Hendrick, Sir Mark
Hendry, Drew
Heburn, Mr Stephen
Heron, Lady
Hill, Mike
Hillier, Meg
Hobbouse, Wera
Hodge, rh Dame Margaret
Hodgson, Mrs Sharon
Hollem, Kate
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, rh Mr Kevan
Jones, Sarah
Jones, Susan Elan
Kane, Mike
Keeley, Barbara
Kendall, Liz
Khan, Afzal
Kiln, Ged
Kinnock, Stephen
Kyle, Peter
Laid, 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
Mahotra, Seema
Mann, John
Marsden, Gordon
Martin, Sandy
Maskell, Rachael
Matheson, Christian
Mc Nally, John
McCabe, Steve
McCarty, Kerry
McDonagh, Siobhain
McDonald, Andy
McDonald, Stewart Malcolm
McDonnell, rh John
McFadden, rh Mr Pat
McGinn, Conor
Mr Speaker: I call the Minister to move formally that

Government amendment (a) in lieu of Lords amendment 24.

Government amendments (a), as amended, and (b) made in lieu of Lords amendment 24.

Lords amendments 32, 6 to 9, 33 to 36, 38, 40 to 42, 159 to 161, 163, 164, 166 to 168, and 170 agreed to.

Motion made, and Question put forthwith (Standing Order No. 83H), That a Committee be appointed to draw up Reasons to be assigned to the Lords for disagreeing to their amendments 4, 5, 10, 20, 37, 39, 43, 45, 51, 52, 110, 125 and 128;

That Mr Steve Baker, Robert Buckland, Emma Hardy, Jessica Morden, Mark Spencer, Keir Starmer and Jeremy Quin be members of the Committee;

That Robert Buckland be the Chair of the Committee;

That three be the quorum of the Committee.

That the Committee do withdraw immediately.—(Paul Maynard.)

Question agreed to.

Committee to withdraw immediately; reasons to be reported and communicated to the Lords.

Business without Debate

DELEGATED LEGISLATION

HOUSING

Motion made, and Question put forthwith (Standing Order No. 118(6)), That the draft Client Money Protection Schemes for Property Agents (Approval and Designation of Schemes) Regulations 2018, which were laid before this House on 3 May, be approved.—(Paul Maynard.)

Question agreed to.

Motion made, and Question put forthwith (Standing Order No. 118(6)), That the draft Client Money Protection Schemes for Property Agents (Requirement to Belong to a Scheme etc.) Regulations 2018, which were laid before this House on 3 May, be approved.—(Paul Maynard.)

Question agreed to.

PETITION

Travellers

9.35 pm

Mr Ranil Jayawardena (North East Hampshire) (Con): I am grateful to you, Mr Speaker, for allowing me to present a petition at such a late hour. [Interruption.]

Mr Speaker: Order. This is a most important matter to the hon. Member for North East Hampshire (Mr Jayawardena) and his constituents. I therefore feel sure that Members who are leaving the Chamber will do so quickly and quietly, and that other Members who are present are so present because they wish to attend keenly to what the hon. Gentleman has to say.

Mr Jayawardena: Thank you, Mr Speaker. I am sure that is the case. I also thank all those who signed, shared and promoted my petition.

I believe that, given that the petition has received nearly 2,000 signatures, both online and offline, the Government must recognise the strength of feeling
among the silent majority. It is great that the Ministry of Housing, Communities and Local Government is consulting on these matters, and I hope that it will change the law to redress the current position—in which—shockingly—we are not all equal under the law.

The petition states:

The Humble Petition of North East Hampshire and the wider United Kingdom,

Sheweth,

That urgent action must be taken concerning unauthorised traveller encampments, which are a nuisance for local communities and a completely inappropriate use of open space—whether it is highway land, Ministry of Defence land, or otherwise; further that unauthorised encampments weaken community cohesion and cause local authority expenditure on eviction and the clearing up of illegal sites; further that we have discrimination in this country against the silent majority of hardworking, law-abiding residents of communities up and down the land; and further that more must be done to treat unauthorised traveller encampments as a criminal rather than civil matter by strengthening police powers to tackle illegal encampments and protecting them from legal challenge in the exercise of current powers.

Wherefore your Petitioners pray that your Honourable House urges HM Government to take all possible steps to grant the police additional powers to remove illegal encampments where they are causing a public nuisance as determined by the decision of a principal local Council; further that the ability of travellers to play the planning system is removed by enshrining a presumption against illegal encampments whereby appellants cannot be resident while appealing; further that powers under Section 62A of the Criminal Justice and Public Order Act 1994 be amended to remove the conditions in subsection (1)—namely conditions (a) and (b) and the conditions of ‘two or more persons’, ‘reasonable steps have been by or on behalf of the occupier to ask them to leave’—in order to make it an offence for a trespasser to fail to comply with a direction by police to leave land and remove vehicles or property, as in Section 24 of the Housing (Miscellaneous Provisions) Act 2002, an Act of the Parliament of the Republic of Ireland.

And your Petitioners, as in duty bound, will ever pray, &c.

Foie Gras Imports

*Motion made, and Question proposed, That this House do now adjourn.—(Paul Maynard.)*

9.39 pm

Henry Smith (Crawley) (Con): Thank you, Mr Speaker, for giving the House an opportunity to consider banning imports of foie gras to the United Kingdom. While this has been an historic week in respect of European Union exit legislation, Members will be aware that Brexit also gives us a significant opportunity to enhance animal welfare.

Foie gras is a product derived from the livers of ducks or geese that have been force fed maize repeatedly by having a metal tube inserted down their throats two or three times a day when they are just 12 weeks old. While production of this so-called delicacy, which is similar to pâté, has been banned in Britain since 2000, the fact that imports of it to the UK are allowed means that the suffering and mistreatment of animals continues. Our country, which imports about 180 to 200 tonnes of foie gras from mainland Europe each year, sadly continues to play a part in this cruel trade.

I am grateful for the work and diligence of organisations such as Animal Equality, which it was my pleasure to host in Parliament recently. Its campaigning on this issue goes back many years, and its investigative work has uncovered the reality of life before death for animals on foie gras farms, including the suffering that its campaigners have seen for themselves at such facilities in France and Spain.

The production of foie gras is undertaken in three stages, each more brutal and inhumane than the last. The first stage starts right from when a chick is hatched, when they are fed regularly until they are aged between six and nine weeks. The second stage then sees birds feed-restricted for between three and five weeks. Following that, for the next three to 10 days the birds are fed as much as possible to prepare their bodies for further force-feeding from the time they reach the age of about 12 weeks. The bird’s oesophagus is dilated, digestive secretions that are necessary for large amounts of food are stimulated, and the process of fattening the liver begins. By the end of this second stage, the liver can weigh up to 180 grams, which is more than double that of a duck that is fed naturally.

The third stage commences when an animal reaches the age of about 12 weeks, at which point the force-feeding starts. This must be endured for a whole fortnight before the bird is slaughtered; indeed, if the process lasted more than two weeks it would likely cause the death of the bird due to liver failure. The force-feeding dramatically increases a bird’s liver size and fat content.

At the end of force-feeding, a duck’s liver is seven to 10 times the size of a normal one, with an average weight of 550 to 700 grams and a fat content of around 55%. To put that into perspective, the average weight of a non-force-fed bird’s liver is about 75 grams, with a fat content of just about 7%. At the end of this force-feeding, the bird is slaughtered and its oversized, fatty liver is extracted. Given the clear mistreatment of animals that I have outlined, the production of foie gras in the United Kingdom would obviously be illegal, so should we not apply the values of animal protection to imports as well as domestic production?
Research has found that in the production of foie gras birds are confined to small cages with so little space that they sometimes cannot turn around. In some cases, dead birds remain in cages with the living. The ducks and geese display obvious respiratory problems, with evidence of trauma and inflammation of the oesophagus, recognised by blood stains on force-feeding tubes. Often ducks bleed incessantly, and some of the weakest are left to die without any basic care.

Each bird receives up to 200 grams of maize for a so-called meal, powered by a pneumatic or hydraulic pump. In the production of foie gras, this amount can be increased to 450 grams per meal towards the end of the force-feeding stage, rising to 1,000 grams after water is added to make a mash. This is of course much, much more food than they would naturally choose to eat.

Jim Shannon (Strangford) (DUP): I spoke to the hon. Gentleman beforehand about foie gras imports. Does he not agree that throughout the world, countries enjoy different delicacies that we may not wish to partake of, and that we have a duty to understand how these delicacies are produced to judge whether we want to try them? The hon. Gentleman has highlighted the details of this particular delicacy in great detail.

Henry Smith: I am grateful to the hon. Gentleman for his intervention. Indeed, there are traditions and delicacies in many parts of the world, but I do not think that that excuses the inhumane way in which foie gras is produced. It is certainly not part of a mainstream tradition in this country.

Kerry McCarthy (Bristol East) (Lab): I am grateful to the hon. Gentleman for giving way and for bringing this debate to the House tonight. He is excellent on animal welfare issues. The decision on foie gras has already been made in this country. We have banned its production here because it is morally unacceptable and cruel, and a YouGov poll has found that 77% of people support an import ban. I think that that figure would be much higher if the rest were to actually listen to what the hon. Gentleman has to say about the immense cruelty involved and if people realised that they were eating a diseased organ. Foie gras is a product of making the animal diseased.

Henry Smith: I am grateful to the hon. Lady, and I pay tribute to the work she has done on many animal welfare issues. She is right to say that this is a quite disgusting form of production. If more people appreciated the fact that they were eating a diseased organ, I am sure that the percentage of people expressing outrage at foie gras being allowed in this country would be even higher.

The Animal Welfare Act 2006 provides five points that must be taken into account when focusing on an animal’s needs: its need for a suitable environment; its need for a suitable diet; its need to be able to exhibit normal behaviour patterns; its need to be housed with—or, as appropriate, apart from—other animals; and its need to be protected from pain, suffering, injury and disease. As I have said, we cannot produce foie gras in this country, as to do so would contravene those points, so let us apply those values to what is imported into our country as well.

Heidi Allen (South Cambridgeshire) (Con): To be honest, I knew that foie gras was a horrid food, but I am finding it quite distressing to hear in graphic detail what happens to these birds. How on earth can we have such double standards in this country? If we understand that it is too morally reprehensible to manufacture it here, how can we continue to import it? Surely, this has to change.

Henry Smith: My hon. Friend is absolutely right. We are perhaps guilty of a double standard, in that we are sometimes willing to export cruel practices to other countries. The same goes for a lot of fur production as well. It is out of sight and out of mind, but sadly, the cruelty still goes on.

The Prime Minister was right to say that our exit from the European Union must lead to wider changes in how our country works. From the conversations I have had with my own constituents and the correspondence I have received from them during the various stages of the legislation we have debated over the last two days, it is clear that ensuring that we have enhanced animal welfare provisions after we have left the EU is a priority for many people in Crawley, as it is up and down the country. Those representations are very much in my mind this evening, and as co-chair of the all-party parliamentary group for animal welfare, it is those calls that I will continue to pursue. Indeed, the ability of our country soon to take such decisions ourselves is an opportunity that we really must seize.

Polling has shown that under 10% of the public claim to consume foie gras and that there is overwhelming support for an import ban, with 77% of those who expressed an opinion supportive of a ban, as the hon. Member for Bristol East (Kerry McCarthy) has just mentioned. I am pleased that the appetite for foie gras is decreasing in this country. Information from the Library shows that the value of UK imports of fatty livers of geese and ducks has fallen by almost half in recent years, from £1.1 million in 2013 to around £600,000 last year. The net mass of the livers that were imported also fell in that time, from some 150,000 kg to just over 100,000 kg. Foie gras is therefore not important to British culture or cuisine.

The Government’s position has been clear: that we are unable to ban the import of foie gras to the UK while we are a member of the European Union and customs union, due to the free movement of goods obligations. However, by leaving the single market, we will be able to decide for ourselves whether our country should take a different approach. The Farming Minister, my hon. Friend the Member for Camborne and Redruth (George Eustice), stated earlier in the year that “were the UK to commit to continue following the rules of the single market, as proposed by some, it would not be possible to consider a ban on foie gras imports.” Indeed, the Government’s view is that an attempt to impose a unilateral ban on the import or sale of foie gras while we are still an EU member could be legally challenged as contravening provisions of the treaty on the functioning of the European Union. This country could then be referred to the Court of Justice of the European Union and face multiple damage claims from importers, exporters and other foie gras traders.

Bambos Charalambous (Enfield, Southgate) (Lab): The hon. Gentleman refers to the fact that many people are voting with their feet by choosing not to eat foie gras.
Does he agree that better education of the wider public would lead to fewer people eating foie gras once they learned of the disgusting practice of how the livers are obtained?

*Henry Smith:* The hon. Gentleman is right. Awareness is important on such issues, and it is one of the reasons behind this evening’s debate and behind the efforts to ensure that people are perhaps not disgust, but definitely better informed about foie gras production.

*Michael Fabricant* (Lichfield) (Con): Is it not an irony that “faux gras” is available? Many chefs say that it tastes exactly the same as foie gras, yet the animals are brought up humanely and killed humanely. There really is no excuse for the import of foie gras.

*Henry Smith:* My hon. Friend is right. Many alternatives to products that are produced cruelly, such as fur, are coming on stream all the time.

I welcome the Government undertaking significant reforms in the field of animal welfare. Taking pride in our natural surroundings, enhancing the environment and ensuring suitable conditions for animals are things in which we all have an interest. I welcome the action being taken by the Minister and his departmental colleagues, particularly the Secretary of State, as well as the leadership shown on the global stage by my right hon. Friend the Prime Minister. An example of that is the ban on ivory sales, which was announced to help protect elephants, of which approximately 20,000 are slaughtered each year. Indeed, I have the honour of sitting on the Ivory Bill Committee this week and next.

The Government recently undertook a public consultation on banning live animal exports after we have left the European Union. While the Department for Environment, Food and Rural Affairs is currently considering the responses, I hope that the Minister will ensure that both his and the Secretary of State’s determination to ensure that animal protections are enhanced on Brexit will be reflected in policy developments. The draft Animal Welfare (Sentencing and Recognition of Sentience) Bill sets out that the Government “must have regard to the welfare needs of animals as sentient beings in formulating and implementing government policy.” That reiterates that animals are sentient beings that feel pain and suffering, and I welcome the fact that that principle will be written into UK law. Perhaps the Minister will update the House about when that legislation may come before us.

On CCTV in slaughterhouses, colleagues on both sides of the House will welcome the Government’s work to make such equipment mandatory in England following the uncovering of how some animals have been mistreated in abattoirs before slaughter. In February 2015, I led an Adjournment debate in the Chamber calling on the Government to take action, and I now urge Ministers to replicate the zeal with which they acted on that to ensure measures are taken in a timely manner to end foie gras imports to this nation, which I believe is still a nation of animal lovers.

I am grateful to the many organisations and institutions that have banned the sale of foie gras. The UK Parliament, the BAFTAs, the BRIT awards, the Wimbledon tennis championships—I am sure that will please Mr Speaker—and Lord’s cricket ground have all stopped selling foie gras, as have caterers such as Compass Group and Brakes and retailers including Selfridges and Harvey Nichols here in London. Hotels, restaurants and many chefs across the country continue to take a stand. Indeed, His Royal Highness the Prince of Wales has banned foie gras from the menus at royal events.

We know the treatment of animals with methods such as those used to produce foie gras is wrong. The methods were outlawed, as we have been discussing, almost two decades ago in this country, but by permitting imports of this product we are still helping the trade in this cruel practice to continue, even though we may not wish it to.

When securing our animal welfare protections for after we leave the EU, I hope that the Minister will take into account the points that have been raised by many hon. Members this evening. In the months and years ahead, as Brexit takes effect, we will have the ability to introduce a ban on imports of foie gras, which will sit alongside the decision this country took to ban its production domestically. I welcome the Government’s continued work to protect and enhance animal welfare standards, and I urge the introduction of a ban.

Foie gras is cruel to produce, unhealthy to eat and expensive to purchase. The ultimate cost, though, is paid by the ducks and geese that suffer so greatly before their slaughter. It is time we banned this outdated practice.

9.57 pm

**The Minister for Agriculture, Fisheries and Food** (George Eustice): I congratulate my hon. Friend the Member for Crawley (Henry Smith) on a characteristically passionate speech on an important animal welfare issue. He does a great deal on many animal welfare causes, and he has done so again this evening.

The UK is a world leader on animal welfare standards, and we take great pride in the way we tackle the serious issue of animal cruelty. Our animal welfare policies are driven by our recognition that animals are indeed sentient beings, and we are acting to reduce harm to animals, whether they are farm animals, pets or wild animals.

My hon. Friend asks when we will introduce the Bills promised on extending sentencing for animal cruelty and on animal sentience. We have published our proposals, and we currently envisage that the Bill to introduce higher sentences will come forward in this Session, and soon thereafter we will introduce the animal sentience Bill to ensure those provisions are in place in time for leaving the EU.

We are also undertaking a programme of reforms to safeguard and enhance the welfare of animals. For example, we have made CCTV mandatory in all slaughterhouses, a requirement that goes above and beyond any EU law. The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 modernise controls on dog breeding, pet sales and other local authority-licensed activities involving animals, and they will come into force in October.

We are also introducing legislation to allow us to increase the maximum sentences for those who abuse animals, and we are at the forefront of international efforts to protect the interests of animals. For example, we recently introduced legislation to ban UK sales of ivory to help bring an end to elephant poaching.

[Bambos Charalambous]
On farm animal welfare, we have strengthened statutory guidance codes in the form of a new enhanced meat chicken welfare code, which came into force earlier this year. We are updating the laying hen welfare code, which was tabled in Parliament on 5 June, and a new pig code is to follow, so great deals have been done.

Let me turn to foie gras, the subject of tonight’s debate. My hon. Friend gave graphic accounts of some of the welfare problems involved, which is why, as he pointed out, the production is not permitted and would be a breach of UK law. At the moment, about 98% of duck foie gras imports to the UK come from France. UK imports of duck foie gras in 2017 were a little over 100 tonnes; as he pointed out, this has fallen considerably in recent years as attitudes change. France produces about 83% of the world’s duck foie gras and 25% of its goose foie gras. It is also produced in some other member states, such as Hungary, Bulgaria, Spain and Belgium. French law states that foie gras belongs to the protected cultural and gastronomical heritage of France.

The Government have made it clear that the production of foie gras using force feeding—gavage—raises serious welfare concerns. Foie gras literally translates as “fatty liver” and, as my hon. Friend pointed out, it is produced by force feeding ducks or geese large amounts of feed via a tube inserted into the oesophagus twice or three times a day for a period of two to three weeks before they are slaughtered. In its 1998 report, the European Commission’s Scientific Committee on Animal Health and Animal Welfare concluded that force feeding is detrimental to the welfare of the birds and introduced EU directive 98/58/EC. It is therefore reasonable to ask why production is still allowed to continue in the EU, given that directive. The directive, which concerns the protection of animals kept for farming purposes, reflects recommendations made under the European convention for the protection of animals kept for farming purposes, which allows for foie gras production to continue where it is “current practice” as long as the producing countries encourage research on its welfare aspects and on alternative methods that do not include force feeding. Practices relating to religious rites, cultural traditions and regional heritage are also respected under article 13 of the treaty on the functioning of the European Union.

As my hon. Friend pointed out, there is no foie gras production in the UK; it is banned, as it is incompatible with domestic legislation. Although there is no specific legislation banning the production of foie gras by force feeding, the prevention of unnecessary suffering to animals has been recognised since the Protection of Animals Act 1911. Currently, foie gras production by force feeding would be banned by the general provisions in the Animal Welfare Act 2006. That Act makes it a criminal offence to allow an animal to suffer unnecessarily and places on people who are responsible for animals a duty that requires them to do all that is reasonable to ensure the welfare of their animals. This covers an animal’s need for a suitable diet and to be protected from pain, suffering, injury and disease. In addition, the Welfare of Farmed Animals (England) Regulations 2007 specifically states that animals “must be provided with food and liquid in a manner that does not cause them unnecessary suffering or injury.”

If any production were to occur in the UK, the Animal and Plant Health Agency would be asked to investigate and advise on any contravention of UK animal welfare laws.

I understand the strength of feeling on this issue and appreciate the work my hon. Friend and many others have done to raise awareness. Successful lobbying and consumer pressure has meant that many UK restaurants, several councils, shops such as Selfridges, Harvey Nichols, Sainsbury’s and Waitrose, and indeed both Houses of Parliament, have long stopped selling foie gras produced by force feeding.

I should briefly mention that there are a small number of producers of what is known as ethical foie gras, which my hon. Friend the Member for Lichfield (Michael Fabricant) alluded to. This is where the birds are not force fed but allowed naturally to eat as much food as they wish. I understand that there are some such producers, particularly in Spain and Canada, and they simply provide an abundance of food but do not engage in force feeding. Production is at a very low level—I think only one or two Spanish farmers engage in this—but it is something that countries currently producing foie gras may want to consider further.

It would be remiss of me not to link this issue back to Brexit and the European Union as we have not had enough time discussing them today! We have a few more minutes to do so in the time that remains. As my hon. Friend the Member for Crawley pointed out, while we are a member of the European Union, we are required to observe law that places restrictions on the introduction of measures that impair the movement of goods within the EU market, and article 34 of the Lisbon treaty prohibits quantitative restrictions. There are some circumstances in which restrictions can be applied, but under article 114 of the treaty on the functioning of the European Union, in reality any such measures affecting another member state would need to be agreed by the Commission, and the Commission would not agree them without the consent of the other member states. When we leave the European Union, we do indeed have an opportunity to look at restrictions on sales along the lines that my hon. Friend pointed out.

We know that there are no barriers under WTO law, which people sometimes refer to, but there are clear precedents for putting in place ethical bans under WTO law, and, indeed, some countries, notably India, have already brought forward bans on the sale of foie gras.

There are other things we are able to do as we leave the EU. We will regain our own independent seat on the OIE, the international body that deals with animal health and welfare issues, and it is our intention to have a stronger voice for the UK to agitate for animal welfare and changes in attitudes to it around the world. We will be able to make that case to promote the production of ethical foie gras for those who want to consume it, and do all we can to get other countries to adopt the type of legislation and types of ban we have in the UK.

In conclusion, we have had a very interesting debate. The number of thoughtful interventions after a long day shows the passion that people have for animal welfare. It is an issue in which there is growing interest in Parliament and across the country. My hon. Friend has done a great job this evening of highlighting another important issue.

Question put and agreed to.
The Parliamentary Under-Secretary of State for Exiting the European Union (Mr Steve Baker): The UK has a long-standing tradition of protecting rights and liberties. The decision to leave the European Union does not and will not change that. The European Union (Withdrawal) Bill retains the rights, standards and protections derived from EU legislation and treaties as they exist immediately before our departure from the EU. That will ensure that, so far as is practicable, all rights will apply as they did before exit. I have no doubts about the abilities of this House to uphold our rights, standards and protections after we leave the EU.

Liz Twist: Given the Prime Minister’s insistence that the Government have committed not to roll back workers’ rights, can the Minister explain why Conservative MPs voted against yesterday’s Lords amendment to protect employment, equality, health and safety, consumer and environmental rights and standards after Brexit?

Mr Baker: Our commitment to workers’ rights is unwavering. On the hon. Lady’s specific point, the fact is that, if that amendment had been taken forward, it would have severely damaged our capacity to have a functioning statute book as we left the European Union.

Joanna Cherry (Edinburgh South West) (SNP): The Equality and Human Rights Commission has said that the loss of the charter of fundamental rights will lead to a significant weakening of the current system of human rights protections in the United Kingdom. Given that that is the advice of the Equality and Human Rights Commission, what specific steps is the Minister taking to prevent the loss of human rights protections following the loss of the charter of fundamental rights?

Mr Baker: Yes. The fundamental political right is that power should derive from the consent of the governed. In leaving the European Union, we will re-establish that consent on a basis that has been traditionally understood, which is that it is this Parliament that will determine the laws of the United Kingdom.
the hon. and learned Lady does not seem to wish to accept, is that this House has voted repeatedly on this very question.

Dr David Drew (Stroud) (Lab/Co-op): Does the Minister accept that animal welfare and environmental protection are extremely important to British agriculture? What guarantees will the Government put in place to make sure that there is no diminution in that regard? He need not take my word on this—he can take the word of the National Farmers Union.

Mr Baker: We have had wide-ranging debates about animals and animal rights, and the hon. Gentleman will know that that is a subject of continuing interest for the Government. The Government have tabled amendments on environmental protections, and the Secretary of State for Environment, Food and Rural Affairs has brought forward a range of proposals on animal rights. I look forward to us carrying those forward.

Mr Speaker: Mr Linden, you are now much preoccupied with consulting your electronic device, but if you are still interested in contributing to our proceedings, let us hear you.

David Linden (Glasgow East) (SNP): Mr Speaker, the Secretary of State’s departmental colleague, Lord Callanan, wants to “scrap the working time directive, the agency workers’ directive, the pregnant workers’ directive and other barriers to actually employing people”.

Which one does the Minister think should happen first?

Mr Baker: The Government’s position is that the UK firmly believes in strong labour protections while also embracing the opportunities that arise from a changing world of work. We do not need to stay aligned with the EU to have strong protections for workers, and a key tenet of the Government’s industrial strategy is continually to improve labour standards in domestic legislation.

Northern Ireland Border

2. Karin Smyth (Bristol South) (Lab): What recent discussions he has had with Cabinet colleagues on border infrastructure in Northern Ireland after the UK has left the EU.

The Parliamentary Under-Secretary of State for Exiting the European Union (Mr Robin Walker): The Secretary of State and I have regular discussions with ministerial colleagues about how to avoid a hard border between Northern Ireland and Ireland, and the joint report in December made it clear that the UK is committed to avoiding any physical infrastructure or related checks and controls. By accepting Lords amendment 25, the House has reiterated that position.

Karin Smyth: I am grateful for that reply, but does the Minister’s reassurance fly in the face of some of the facts on the ground? The Chief Constable of the Police Service of Northern Ireland has stalled the sale of three police stations on the border and submitted a business case for up to 300 officers. Have the Minister and his Cabinet colleagues discussed that proposal and will they be supporting it?

Mr Walker: The UK Government could not have been clearer about our commitment to ensuring no hard border between Northern Ireland and Ireland. Although the funding settlement for the PSNI is a devolved matter for the Northern Ireland Administration, which we all want to be restored as soon as possible, the UK Government do not intend to allocate any resources for policing a hard border after our exit from the EU, or for the furtherance of any steps that would contradict or undermine the clear commitments we have made.

Sir Desmond Swayne (New Forest West) (Con): Were we to leave without an agreement, we would not put a border there, so if anyone wants one, they would have to put it there, wouldn’t they?

Mr Walker: My right hon. Friend raises an interesting point, but it is our intention to leave with an agreement. We have been clear that our first priority is to secure the absence of a hard border through the future relationship between the UK and the EU.

Mr Gregory Campbell (East Londonderry) (DUP): Our Government, the Dublin Government and Brussels have all said that they do not want a hard border. Does the Minister have an understanding from the EU that a hard border, whoever might want it, would be totally impossible to police because of the hundreds of crossing points that everyone in Northern Ireland would use, even if someone tried to implement a hard border on the ground?

Mr Walker: The hon. Gentleman speaks with considerable experience and knowledge of the issue. He is absolutely right. That is why, from what I have seen and conversations I have had, London, Dublin, Belfast and Brussels have all been clear about the need to avoid the creation of a hard border.

Mr Nigel Evans (Ribble Valley) (Con): When we talk about the border between Northern Ireland and Ireland, are we putting the cart before the horse? Surely we need to focus on UK-EU customs arrangements so that we know exactly where we are. We buy £50,000 German cars every year, and £3 billion of flowers and bulbs from the Dutch. Irrespective of what Wetherspoons did yesterday, we still drink more Champagne than the French and will continue to do so.

Mr Walker: My hon. Friend is right about the advantages of ensuring frictionless trade between the UK and the EU, and that is the Government’s policy.

Vernon Coaker (Gedling) (Lab): Would not this Parliament, and the entire island of Ireland, be reassured by what the Minister is saying about a border if the Government had allowed more time for Members of the House to discuss these hugely serious issues? What will the Government do about that, and will the Minister discuss with his Cabinet colleagues how we discuss these issues in Parliament, rather than listening to the waffle of the Minister?

Mr Walker: I seem to remember spending quite a lot of time discussing that issue in Committee, including being harangued by the hon. Gentleman to ensure that the Bill contained a specific reference to the Belfast
agreement. Thanks to the changes we have made, and the acceptance of Lords amendment 25, there is now that specific reference, which I am sure he will welcome.

Jenny Chapman (Darlington) (Lab): I remind Members that the Prime Minister said that we are leaving the EU and it is our responsibility to find a solution to the Northern Ireland border. On Tuesday, the Government accepted the Patten amendment and rightly committed us to no controls, no checks and no infrastructure on the border in Northern Ireland. How on earth can the Government ensure that that will happen without the UK, Northern Ireland, Ireland and the EU being in, as a minimum, a customs union?

Mr Walker: As the hon. Lady knows, we are committed to ensuring customs arrangements that allow for no physical infrastructure at the border. As she also knows, we have put forward our own proposal for a backstop in the EU negotiations, which is an important element of that. We want to secure this for the future relationship between the UK and the EU.

Customs Arrangements

3. Ged Killen (Rutherglen and Hamilton West) (Lab/Co-op): What discussions has he had with Cabinet colleagues on future customs arrangements as part of the UK’s negotiations to leave the EU.

Mr Walker: Those working groups are meeting regularly to advance the work on both of the options. As agreed yesterday, the Government will provide by 31 October a statement to Parliament on the steps taken to negotiate a customs arrangement with the EU.

Gill Furniss: Does the Minister agree with the president of the Confederation of British Industry, who warned yesterday:

“If we do not have a customs union, there are sectors of manufacturing society in the UK which risk becoming extinct”?

Mr Walker: No, I agree with the Conservative and Labour manifestos that said that we should be leaving the customs union and ensuring that we have an independent trade policy, but we also want to deliver the frictionless trade that businesses up and down our country need.

Kevin Foster (Torbay) (Con): In the discussions with the European Union, have the Government made it clear that we would not tolerate a solution that put the customs border down the Irish sea, or for that matter, between England and Scotland, as some others want to do?

Mr Walker: My hon. Friend makes an excellent point. We have made that abundantly clear, and the Prime Minister has been very clear that no UK Prime Minister could accept such a solution.

Huw Merriman (Bexhill and Battle) (Con): Yesterday, I had the pleasure of meeting the chamber of commerce from Portugal. While, of course, it was sorry to see us leaving the European Union, its biggest concern with regard to the customs union was how long it was taking for the entire process to be put together—I hasten to add that we then had a potted history about how Parliament works, sadly. Can I ask the Minister to ensure that, whatever comes through this, we send a message to the Portuguese that they are absolutely with us and trading with us in the future?

Mr Walker: Absolutely. My hon. Friend makes an important point. Portugal is our oldest ally in the world—in fact, I think the longest-standing alliance in the world is between England and Portugal—and we want to ensure that the trade between us can continue to flourish, as we do with the trade between the UK and many other EU member states.

Patrick Grady (Glasgow North) (SNP): Does the Minister think that the sight of Ministers and Whips negotiating in real time their position on the customs union, either from the Dispatch Box or on the Benches, helps or hinders the UK’s negotiating position with the rest of the European Union?

Mr Walker: The Government are determined to present the right answer on customs to make sure that we have the frictionless trade we all want to see between the UK and the EU. The sight of the Scottish National party abandoning their parliamentary responsibilities is perhaps not one that encourages confidence from anyone.

17. Ruth Cadbury (Brentford and Isleworth) (Lab): The director general warned that “opportunities are limited” and are “vastly outweighed by the costs incurred if the UK’s rules change so much that it reduces smooth access to the EU’s market.” Why then did the Government vote against Labour’s amendment for a new relationship with the single market based on shared regulations and common standards?

Mr Walker: Half the Labour party seems to be voting against Labour’s amendments nowadays. We meet regularly with the CBI and with different business groups up and down the country. They are all very clear on the benefits of frictionless trade, and that is the policy of the Government.
Matthew Pennycook (Greenwich and Woolwich) (Lab): The media inevitably focused on the personalities involved in the Cabinet row over a customs backstop last week, but it is the detail of that policy that really matters, so I ask the Minister a very simple question: are we to take from the fact that the Secretary of State and his other two colleagues are still in post that the Government’s position is not to accept, under any circumstances, a customs backstop that is not time-limited?

Mr Walker: The Prime Minister has been clear that the backstop arrangements would be time-limited, but I say to the hon. Gentleman that the fact that our entire ministerial team is in post is a sign that our party is united, unlike the Labour party, which has now had 100—100!—resignations from its Front Benchers or Parliamentary Private Secretaries.

Matthew Pennycook: Not really an answer, Mr Speaker. Last week’s backstop paper only dealt with customs, but we know that a solution to the Irish border issue requires agreement on far more than that; it requires full regulatory alignment on goods to facilitate all aspects of north-south co-operation. Does the Minister accept that, and will the Government be making the case for full regulatory alignment on goods in future discussions with the EU?

Mr Walker: As the hon. Gentleman will know if he has looked at the detail of the joint report, we are talking about alignment in those areas necessary for the functioning of the border and ensuring that there is no hard border. That does not mean full regulatory alignment across all areas; it means specific areas relating to agriculture and industrial goods that could otherwise result in tax at the border. We were clear in our presentations to the EU that there is further discussion to be had on that.

Withdrawal Negotiations

4. Matt Warman (Boston and Skegness) (Con): What recent progress he has made in the UK’s withdrawal negotiations with the EU. [905832]

7. Scott Mann (North Cornwall) (Con): What recent progress he has made on negotiating the withdrawal of the UK from the EU. [905835]

14. Steve Double (St Austell and Newquay) (Con): What recent progress he has made in withdrawal negotiations with the EU. [905844]

The Secretary of State for Exiting the European Union (Mr David Davis): We reached agreement on more than three quarters of the legal text of the withdrawal agreement, locking down full chapters on citizens’ rights, the implementation period and the financial settlement. We continue to build on the progress of March, technical talks have continued and we are focusing on negotiating the right future relationship. These conversations are now well under way, with detailed discussions on future economic and future security partnerships.

In my latest meeting with Michel Barnier on Monday, we discussed a range of issues, from questions of the Northern Ireland protocol, which has just been discussed in the House, to product standards and market access. It was a productive and positive discussion. We will continue to work hard and at pace, and will set out further details in the Government White Paper in due course.

Matt Warman: My constituents voted more than any others in the country to leave the European Union. In the past couple of days, this House has worked hard to deliver that. I know they will be grateful for all the Secretary of State’s work. Does he agree that there is no record anywhere in the world of an international negotiation in which a Parliament in place of a Government has delivered a successful micro-managed outcome?

Mr Davis: My hon. Friend is exactly right. As we made clear this week on consideration of Lords amendments to the European Union (Withdrawal) Bill, we cannot accept amendments that allow Parliament to instruct the Government on what steps we should take in international negotiation because that undermines one of my three tests, and because such a move would be constitutionally unprecedented.

The current constitutional arrangements have served this country well for hundreds of years over thousands of treaties. Those who have argued for something different did not argue for the House of Commons to negotiate directly our accession to the European Union, or the Lisbon, Amsterdam or Maastricht treaties. It is rather odd that they make such an argument now.

Scott Mann: In the light of the House’s rejection of Lords amendments on the European economic area and customs union, will my right hon. Friend now head to Brussels with renewed vigour to support many of my constituents who voted for Brexit, and who want the Government to get on and deliver the result?

Mr Davis: I would hope that my vigour does not need renewal, but I will take my hon. Friend’s wishes as I am sure he meant them.

We had a constructive debate in both Chambers and I am pleased that we are now in the final stages of the Bill. This crucial piece of legislation is designed to deliver continuity of law after exit, and ensures that from day one we have a functioning statute book, which will give certainty to both individuals and business. We will build on the hard work at home and in Brussels, and continue to work towards a withdrawal agreement and future framework in October.

Steve Double: I concur with the comments of my Cornish colleague, my hon. Friend the Member for North Cornwall (Scott Mann). People in my constituency simply want the Government to get on and deliver the Brexit that they voted for. Will my right hon. Friend the Secretary of State confirm that the Government’s position remains that they will take back control of our borders? Will he therefore resist all calls for us to join the EEA, which would precipitate continued freedom of movement and not deliver what the majority of people voted for?

Mr Davis: Yes. As my hon. and learned Friend the Solicitor General stated in yesterday’s debate on the Lords EEA amendment, continuing to participate in the EEA agreement beyond the implementation period means accepting all four freedoms of the single market,
including free movement of people. In the last election, both main parties clearly said that they would not accept that. It is therefore clear that continuing to participate in the EEA agreement beyond the implementation period would not deliver control of our borders or our laws, which the British people voted for. That point was made by a number of Labour MPs in yesterday’s debate—the right hon. Member for Don Valley (Caroline Flint) is not here, and I do not often compliment her, but she made one of the best speeches of the day on exactly that subject.

Our proposals are designed to deliver the best access to the European market consistent with taking back control of our laws and borders. That is what we will do.

Hilary Benn (Leeds Central) (Lab): The Government’s proposal for a backstop in Northern Ireland did not include an approach on regulatory standards, which is presumably one reason why Michel Barnier, in rejecting it, said that it would lead to a hard border. Do the Government intend to submit a revised proposal to the EU negotiators before the June European Council?

Mr Davis: The right hon. Gentleman is uncharacteristically inaccurate. Michel Barnier did not reject our proposal. He said in a tweet after his press conference that he would be discussing it with us, which he did on Monday.

Chi Onwurah (Newcastle upon Tyne Central) (Lab): The Government have rejected giving Parliament a meaningful voice in the Brexit deal, but does the Secretary of State recognise that the businesses we represent are crying out for some sort of clarity so that they can deliver on the investment that drives jobs in my constituency? When will he deliver that clarity?

Mr Davis: Again—the hon. Lady is wrong. The Government have provided 250 hours of debate on this Bill alone, and there are probably a dozen other pieces of primary legislation, including the withdrawal agreement Bill, alone, and there are probably a dozen other pieces of legislation beyond the implementation period that would not deliver control of our borders or our laws, which the British people voted for. That point was made by a number of Labour MPs in yesterday’s debate—the right hon. Member for Don Valley (Caroline Flint) is not here, and I do not often compliment her, but she made one of the best speeches of the day on exactly that subject.

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Mr Davis: Again—the hon. Lady is wrong. The Government have provided 250 hours of debate on this Bill alone, and there are probably a dozen other pieces of primary legislation, including the withdrawal agreement and implementation Bill later this year. There is a huge range of areas in which Parliament has had its say and will have its say. To come to the point about business investment, in the past year high-tech investment alone—the most important for our future in many ways—was three times in the UK that of any European country. Indeed, it was as much as the next three countries put together.

Paul Blomfield (Sheffield Central) (Lab): Political leadership in negotiations is clearly key to their success, but in response to a question I tabled, the Under-Secretary of State for Exiting the European Union, the hon. Member for Wycombe (Mr Baker), informed me that until last Monday the Secretary of State had met Michel Barnier only twice since December—one in February and once at a press conference in March. Two meetings in six critical months. Can the Secretary of State explain his absence? Does paralysis in the Cabinet leave him with nothing to say? Or has he simply been sidelined by officials closer to the Prime Minister?

Mr Davis: Is it not wonderful to have the Labour party, of all people, accusing us on this? I am looking at the hon. Member for Huddersfield (Mr Sheerman)—don’t worry. I read a tweet only this morning in which the Labour Whips Office was celebrating the fact that only 75 Labour Members rebelled against the amendment yesterday.

Peter Grant (Glenrothes) (SNP): I am slightly pleasantly surprised to see the Secretary of State still in his place—[Interruption] I suspect that if I am surprised to see him in his place, the Secretary of State and the Prime Minister are significantly more surprised. Particularly as the negotiations go on to look at our future and long-term relationship with Europe, they will inevitably impinge significantly on matters that are properly and constitutionally devolved to the three devolved nations of this Union. This week, we saw the Government force through without debate provisions allowing Ministers unilaterally to remove and change the powers of those devolved nations. Will the Secretary of State tell us what assurances the people in the devolved nations can have that our interests will not be sold out during the next stage of the negotiations?

Mr Davis: First, might I say that I am touched that the hon. Gentleman is pleasantly surprised that I am still here? I am very pleasantly surprised to see so many of his colleagues with him today.

On the important substantive question, the Government came up with a number of proposals during the course of the Bill which sought to arrange the mechanism by which powers are passed from the European Union through to the devolved Administrations. Those proposals were welcomed by the Welsh Administration but not by the Scots one. Nevertheless, we are continuing in our discussions with the Scots Administration to endeavour to come to an agreement, and while we are doing our work on the White Paper, we are also talking to them about the policy elements of that so they can have an input.

Peter Grant: I remind the Secretary of State once again that it was not the Scottish Government who refused the legislative consent motion but the elected Parliament of Scotland. Four out of five parties agreed that the Government’s actions were not acceptable. Will the Secretary of State confirm that as the Government’s intentions stand, it would be perfectly possible for the Government to return from Brussels with a deal that substantially damaged the interests of the three devolved nations of this Union, and that the only option that Members of Parliament from those nations would have would be to accept that sell-out or to accept a car crash no deal? That is the Government’s intention just now, is it not?

Mr Davis: I made it very clear from the beginning of the negotiation process and the policy creation process that we treat the interests of every nation in the United Kingdom extremely seriously and will defend them to the utmost of our ability. There will be a statement later from the Scottish Secretary on the Sewel convention.

Single Market: North-west Economy

5. Conor McGinn (St Helens North) (Lab): What recent discussions he has had with Cabinet colleagues on the potential economic effect on the north-west of the UK leaving the EU single market. [905833]
The Parliamentary Under-Secretary of State for Exiting the European Union (Suella Braverman): The Department for Exiting the European Union is working with all Departments at both ministerial and official level to ensure that our preparations for exit from, and new partnership with, the EU are on track. We are committed to seeking the best possible deal for the United Kingdom—one that works for all the regions of the country, including the north-west. I was delighted to visit the region earlier this month, and meet local businesses to discuss their views on Brexit.

Conor McGinn: Despite the very positive work being done by organisations such as the St Helens chamber of commerce, the latest polling shows that confidence among businesses in the north-west has fallen by 22 points, to just 33%. I am intrigued to know to what the Minister attributes that; is it the fact that this Government’s chaotic and shambolic handling of negotiations means that there is a real anxiety among businesses that we will crash out of the single market with no deal?

Suella Braverman: I very strongly disagree with the hon. Gentleman’s analysis. During my visit to the north-west I was pleased to meet with thriving businesses that are looking forward to the economic opportunities flowing from Brexit, such as trading with an expanded global marketplace. Together with huge investment in the north-west, such as the Mersey Gateway bridge and the northern hub in Manchester, the port of Liverpool, for example, stands potentially to act as an expanded gateway for global trade. This week’s Office for National Statistics trade figures show that exports are rising—by 7% to the end of April—faster than imports. That is good news that trade figures show that exports are rising—by 7% to the end of April—faster than imports. That is good news.

Chris Davies (Brecon and Radnorshire) (Con): As well as the north-west, all other regions in the UK are important to the Union, including the devolved nations, so can my hon. Friend confirm that no area will be treated unfairly when we leave the EU?

Suella Braverman: Absolutely; the integrity of the United Kingdom is paramount as we pursue these negotiations. I am very encouraged by the Government’s commitment to securing a unique and mutually beneficial free trade agreement with the European Union that supports our businesses, our jobs and our economy.

Ian Murray (Edinburgh South) (Lab): Given that all the analyses show that Scottish GDP would fall by 2.9% in the least-worst scenario of our staying in the single market and the customs union when we leave the EU, what GDP figure are the Government working towards with their current negotiating position?

Suella Braverman: Let us look globally: we have an economy that has increased output—those are the CBI’s figures—we have the OECD upgrading growth forecasts for this year and next, and we have the lowest net borrowing in over a decade. That is a very different picture from that suggested by the predictions that were made two years ago. Let us base our position on facts, not scaremongering about the future.

Free Trade Agreements

6. Robert Courts (Witney) (Con): What assessment he has made of the potential effect of the UK remaining in the customs union on its ability to negotiate new free trade agreements throughout the world.

7. Rebecca Pow (Taunton Deane) (Con): What assessment he has made of the potential effect of the UK remaining in the customs union on its ability to negotiate new free trade agreements throughout the world.

8. Rebecca Pow: I do not know whether you are a cider drinker, Mr Speaker, but say the word Somerset and you inevitably think of cider. Last week I held an event for the cider industry trade, to which I invited all the cider makers from Somerset. There was a great deal of positivity and emphasis on the fact that we can grow in the world market when we leave Europe. Does my hon. Friend agree that yesterday’s decision will help us negotiate unfettered and that that will benefit our south-west industries?

Suella Braverman: I agree with my hon. Friend. A customs union creates an asymmetrical relationship. Turkey is an example of a country in a customs union with the EU but not in the customs union with the EU. The effect of that is that if the EU signs a free trade agreement with a third country—let us say, the US or Canada—goods from the US or Canada can enter Turkey tariff-free, but Turkish goods still face a tariff barrier in Canada or America, which puts Turkish businesses and exporters at a significant disadvantage. With free trade as the big prize for Brexit, Labour’s support for a customs union makes no sense at all.

9. Chris Davies (Brecon and Radnorshire) (Con): What assessment he has made of the potential effect of the UK remaining in the customs union on its ability to negotiate new free trade agreements throughout the world.

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had many a joyous occasion, perhaps in your teenage or university days, where the memories were enhanced precisely because of the consumption of cider.

I am very pleased that companies, particularly in my hon. Friend’s constituency and her region, have a can-do attitude to Brexit and are looking forward to increased global trading opportunities. Brexit presents those opportunities, especially for the food and drink industry.

Henry Smith: When I have met elected representatives from places as far apart as Wellington and Washington, they have been very keen to do trade deals with the United Kingdom post-Brexit. Will the Minister confirm that that would not be possible if we remained part of the customs union?

Suella Braverman: Yes. Remaining in a customs union or the customs union with the EU would not be compatible with having a meaningful, independent trade policy. It would mean that we would have less control than we have now over our trading relationships with other countries. Neither leave nor remain voters would want that.

Mr Speaker: The hon. Lady has given an extremely clear and helpful answer, but the problem is that we have a lot of questions to get through and I want to accommodate colleagues. If all Ministers could be brief, that would be great.

Phil Wilson (Sedgefield) (Lab): Car manufacturing in this country is world leading, but the president of the CBI has said that if we leave the customs union it would become extinct. What contingencies do the Government have to replace the 800,000 jobs affected, including the 30,000 jobs in the north-east of England?

Suella Braverman: I disagree with the hon. Gentleman’s description. The automotive sector is one of our great success stories and the Government will continue to support it. Just this April, Vauxhall announced an investment of more than £100 million in its UK plant, to build the next generation of Vivaro vans. We are seeing more and more success in the sector. We have to support that, and that will be an ambition of our future trade agreement with the EU.

Kerry McCarthy (Bristol East) (Lab): As well as the motor sector, the food sector has expressed concern that rules of origin in the supply chain could have a real impact post-Brexit if we are not part of a customs union. What is the Department’s approach? Is it considering a broader definition of “local origin”? How else will it help those sectors deal with rules of origin post-Brexit?

Suella Braverman: The hon. Lady is right to highlight the issue of rules of origin with regard to the sector. We want to ensure as limited friction as possible, with a tariff-free arrangement for goods, so that we have the integrated supply chains that are vital to the success of the sector.

Patricia Gibson (North Ayrshire and Arran) (SNP): Will the Minister comment on the Foreign Secretary’s analysis that the Government’s EU negotiations are heading for “meltdown”? Is that not just another example of the chaos and division at the heart of Government?

Suella Braverman: I think that the hon. Lady’s interpretation is incorrect. The Government are making—[Interruption.] Let us look at the progress the Government have made. We have agreed an implementation period. Led by the Prime Minister, we secured agreement in December on EU citizens, and we are now in the phase of talking about the exciting future relationship with the European Union. I am looking forward to the opportunities and success that will be led by this Government, not the predictions of failure.

EU Withdrawal: No Deal Preparations

10. Mr David Jones (Clwyd West) (Con): What preparations his Department is making for withdrawal from the EU without a deal.

The Parliamentary Under-Secretary of State for Exiting the European Union (Mr Steve Baker): It is in everyone’s interests to secure a good deal for both sides and we are increasingly confident that that can be achieved. As my right hon. Friend will be aware, we continue to implement plans for all scenarios. Some delivery has already become evident: more will become public over the coming weeks and months. As an example, I congratulate my colleagues in the Department for Business, Energy and Industrial Strategy, who have made progress on our preparations for exiting Euratom. The Nuclear Safeguards Bill has completed its passage through Parliament, and international agreements have been signed with the International Atomic Energy Agency and the USA, helping to ensure continuity as we leave Euratom.

Mr Jones: I am pleased to hear that prudent preparation is being made for leaving without a deal. Does my hon. Friend accept, however, that to provide reassurance to business and the wider public—not to mention to inform our interlocutors in Brussels—the nature and extent of that preparation should be more widely communicated?

Mr Baker: I hear my right hon. Friend’s case and I agree that it is prudent for all Departments to prepare for all possible outcomes. We will continue to engage with business to reduce uncertainty wherever we can. Over the next few weeks and months, our preparations for what is an unwanted contingency will become increasingly visible to him and the country.

David Hanson (Delyn) (Lab): Deal or no deal, will we still be members of Europol and the European arrest warrant this time next year?

Mr Baker: We will be bringing forward and publishing our plans for the future relationship in due course.

EU Scientific Co-operation

11. Vicky Ford (Chelmsford) (Con): What steps the Government are taking in their withdrawal negotiations to facilitate ongoing scientific co-operation between the UK and EU.

The Parliamentary Under-Secretary of State for Exiting the European Union (Mr Robin Walker): As the Prime Minister set out at Mansion House and reinforced at Jodrell Bank, the UK is committed to establishing a far-reaching science and innovation pact with the EU,
facilitating the exchange of ideas and researchers, and enabling the UK to participate in key programmes alongside EU partners.

Vicky Ford: Ongoing co-operation is clearly in both our and the EU’s interest, but world-leading scientists often explain how they need to move to and fro between different countries in order to build knowledge. Will the Minister ensure that the visa system post Brexit will enable researchers to have that flexible mobility?

Mr Walker: We have been very clear throughout the process that we want the UK to continue to be able to attack the brightest and the best and to be a magnet for key talent around the world. The announcement of the new start-up tech visas is a good indication of how UK immigration policy can contribute in this space.

Thangam Debbonaire (Bristol West) (Lab): The Minister mentions that we want to attract the brightest and the best but missed some of what the question was about, which is of great concern to my constituents in the University of Bristol: the free flow of researchers and scientists around the European Union and the exchange of knowledge. They, and scientific firms in my constituency, say that they are already struggling. What further clarification can he please give?

Mr Walker: We have reached some important agreements already with regard to the implementation agreement and the continuation of our existing membership of Horizon during the whole period until the end of the multi-annual financial framework. We now want to secure the science and innovation pact, which we have been discussing in our meetings with the Commission, and those meetings have been constructive and positive.

Jeremy Lefroy (Stafford) (Con): As a trustee of the Liverpool School of Tropical Medicine, may I ask the Minister what assurances he can give me that the UK Government will provide at least as much funding, after we leave the European Union, as is now given to the universities and institutes around this country?

Mr Walker: My hon. Friend asks me an interesting question, which is probably more appropriate for a Treasury Minister to answer, but I recognise its importance. The UK is stepping up investment in R&D with our target to ensure that 2.4% of GDP is spent on it. That will make us one of the leading countries in the world for investment in research.

Alison Thewliss (Glasgow Central) (SNP): The Rheumatoid Arthritis Pathogenesis Centre of Excellence in Glasgow relies not only on the movement of people and talent but on the movement of medical samples across borders. What will the Minister do to ensure that medical samples can travel unfettered across the EU after Brexit?

Mr Walker: The hon. Lady raises a very important point. Having visited the university in Glasgow to talk about some of these issues, I recognise the world-leading research that takes place there. Of course we want to ensure that patients in the UK and the EU continue to benefit from the exchange between us. That is why we have talked not only about co-operation in science but about the benefits of the UK’s continued participation through associate membership of the European Medicines Agency.

International Business Community

12. Peter Aldous (Waveney) (Con): What steps he is taking to ensure that the Government engage with the international business community during negotiations on the UK leaving the EU.

The Parliamentary Under-Secretary of State for Exiting the European Union (Suella Braverman): The ministerial team undertakes regular engagements with the international business community, both in the UK and abroad. In addition to regular visits to Brussels the ministerial team has undertaken 27 trips across EU member states this year. That is supported by business engagement conducted by our embassies.

Peter Aldous: I am grateful to the Minister for her reply. Over the past 50 years, considerable expertise has been built up in the North sea energy sector, which has led to enormous global export opportunities. What steps are the Government taking to ensure that that continues after we leave the EU, with particular emphasis on the emerging offshore wind sector?

Suella Braverman: The UK has been an active member of the North sea’s energy co-operation initiative since 2010. The aim is to explore the most cost-effective way of developing offshore grid infrastructure to exploit the considerable renewable energy resources in the North and Irish seas. The UK brings significant experience and expertise to this co-operation. Working together with other countries through this initiative will enable us to maximise the considerable business opportunities in the emerging offshore wind sector.

Mr Pat McFadden (Wolverhampton South East) (Lab): Business is getting more nervous as it watches the Government negotiating more with themselves than with the European Union. Can the Minister confirm that it is Government policy to ensure that there are no new impediments to trade for our world-leading service industries, such as financial services, education, the creative industries and others?

Suella Braverman: Considerable amounts of data have been released recently showing an increase in confidence in various sectors, whether it is retail, services, manufacturing or construction. We have to build on that, which is why the Government are committed to reducing barriers to trade to enable our businesses, our exporters, our manufacturers and our service sector to thrive outside the European Union.

Martin Vickers (Cleethorpes) (Con): The Minister referred to the offshore wind sector. She visited my constituency, the port of Immingham and neighbouring Grimsby a couple of weeks ago. Does she agree that the facilities there for serving the offshore sector, and the wider trade deals that could follow Brexit, are greatly to the advantage of northern Lincolnshire?
Suella Braverman: I was delighted to visit the ports of Immingham and Grimsby at my hon. Friend’s invitation. I was very impressed by the energy estuary, which is located there, and by the wealth of experience and output. It is the energy powerhouse for our nation.

Mr Speaker: May I gently say that with ingenuity, the hon. Member for Banff and Buchan (David Duguid) could shoehorn in his question about fisheries policy, which is a matter of significant interest to the international business community?

Suella Braverman: Well, let us look at the facts. As I said, CBI data shows an increase in output generally, the OECD revised its forecasts upwards for this year and next, and there is record low unemployment throughout the country. Those are signs of an economy that is confident and optimistic about the future, not one such as the hon. Gentleman describes.

18. [905850] David Duguid (Banff and Buchan) (Con): Thank you for that, Mr Speaker. I understand that the Under-Secretary of State for Exiting the European Union, my hon. Friend the Member for Wycombe (Mr Baker), met the National Federation of Fishermen’s Organisations yesterday. Can he confirm today that he shares the ambition of the NFFO and the Scottish Fishermen’s Federation that when we leave the EU, we will have actual, as well as legal, authority over all fishing activities in UK waters, out to 200 nautical miles?

Suella Braverman: The Under-Secretary of State for Exiting the European Union, my hon. Friend the Member for Wycombe (Mr Baker), was pleased to meet the National Federation of Fishermen’s Organisations yesterday. He is keen to keep engaging with the sector. We have been absolutely clear that when we leave the EU, we will leave the common fisheries policy. Indeed, from 2020 we will be negotiating as an independent coastal state. Let me reassure my hon. Friend the Member for Banff and Buchan (David Duguid) that our plans for exit from the common fisheries policy are not affected by the backstop discussions.

Local Government Funding

13. Luke Pollard (Plymouth, Sutton and Devonport) (Lab/Co-op): What discussions he has had with Cabinet colleagues on the potential effect on local government funding of leaving the EU. [905843]

The Parliamentary Under-Secretary of State for Exiting the European Union (Suella Braverman): My Department continues to work closely with the Ministry of Housing, Communities and Local Government, and with other Departments across Government, to ensure that local government is prepared for the potential effects of EU exit. This work includes assessing any funding issues for local government.

Luke Pollard: Plymouth City Council’s new Labour council has established a Brexit scrutiny committee to look at the impacts of Brexit on vital public services. What conversations is your Department having directly with local authority leaders to help it to understand the impacts on the vital public services that many millions of people rely on?

Mr Speaker: I do not have a Department, but the Minister, fortunately, does.

Suella Braverman: Both the Secretary of State and I have met many local authority leaders around the country. We are keen to engage with them so that we understand their concerns about EU exit. Importantly, the UK will continue to participate in the 2014 to 2020 EU programmes until they close, and, thereafter, EU structural funding will be transferred through a UK shared prosperity fund. Comments from local authorities will be very well received.

Mr Philip Hollobone (Kettering) (Con) rose—

Mr Speaker: Proceedings would be incomplete if we did not hear from the conscience of Kettering.

UK Citizens’ Rights

15. Mr Philip Hollobone (Kettering) (Con): Whether the EU has agreed to reciprocate in full to UK subjects living in the EU the rights that the Government have offered to EU citizens living in the UK. [905845]

The Parliamentary Under-Secretary of State for Exiting the European Union (Mr Robin Walker): The UK has reached an important agreement on citizens’ rights with the EU that is fully reciprocal, but it is of course important to recognise that it is the responsibility of member states, rather than of EU institutions, to implement some aspects of that agreement.

Mr Hollobone: Do the reciprocal rights that the EU is meant to have agreed extend just to the country in Europe in which UK citizens are living, or do they extend right across all 27 member states?

Mr Walker: My hon. Friend makes an important point. We are clear that we would like to secure onward movement rights for UK citizens living in the EU, and we will return to this issue in the next phase of negotiations. In several other areas, it is right that the rights are reciprocal between the UK and the EU and that they apply throughout the whole EU.

Christine Jardine (Edinburgh West) (LD): I appreciate the Minister’s comments about UK citizens living abroad, but does he agree that we still need clarity for EU citizens living here? The David family in my constituency have lived and worked here for 20 years. Both their children were born here, but although one of them is entitled to a UK passport, the other is not. They have now had five different pieces of conflicting advice from UK departments about their passports and citizenship. Is the Minister prepared to meet me to talk about their case and to see whether we can get some clarity on it?
Mr Walker: I would be very happy to meet the hon. Lady to discuss this case. We are working closely with Home Office colleagues to ensure that the new settled status system is clearer and easier to use than what has gone before.

Topical Questions

T1. [905853] David Duguid (Banff and Buchan) (Con): If he will make a statement on his departmental responsibilities.

The Secretary of State for Exiting the European Union (Mr David Davis): Before I turn to my departmental responsibilities, may I say that today is a sombre day, one year on from Grenfell? I am sure that I speak on behalf of the whole House when I say that our thoughts are with those who suffered bereavement and loss a year ago.

This has been an important week in our policy area. It was Parliament that gave the people a decision on our membership of the EU, by way of a referendum, and it is Parliament that is carrying out their instruction. The European Union (Withdrawal) Bill returns to the Lords today.

Mr Davis: My responsibilities are with the Government, so of course I am entirely with the Solicitor General—that follows automatically. Let me put in front of the House what I said during that debate, which is that whatever proposal is put back to the Lords, it has to meet three criteria: first, that we do not bring about the overturning of the referendum result; secondly, that we do not undermine the ongoing negotiation with the European Union; and, thirdly, that we do not change the constitutional structure that has served this country well for hundreds of years, under which the Government negotiates and Parliament passes its view at the end of the process.

Keir Starmer: Let me press the Secretary of State a little further, because this is a really crucial issue in the process, so we must get it right. Will he say clearly, yes or no—will the Government’s amendment, to be published later today, make it clear that, should the proposed article 50 deal be voted down, it would be for Parliament to say what happened next, not the Executive?

Mr Davis: I am afraid that the right hon. and learned Gentleman will have to wait to see the document when it is published. As he says, it will be published later today.

Mr Davis: Leaving the common agricultural policy will deliver significant opportunities for farming, as the consultation to date is already showing. My hon. Friend is right that there has been consultation with the farming sector in England, but the Government are committed to working closely with the devolved Administrations and stakeholders to deliver an approach that works for the whole UK, as I said earlier, and that reflects the needs and circumstances of Scotland, Wales, Northern Ireland and England. That being said, I agree entirely with my hon. Friend; all of us who are involved in these procedures, bar those of the Scottish nationalist party, have learned the lesson that if we actually want to make things happen, we have to turn up and deal with the issues.

Keir Starmer (Holborn and St Pancras) (Lab): May I join the Secretary of State in his comments on Grenfell on behalf of the Opposition and, I am sure, the whole House?

It is good to see the Secretary of State in his place. On the back of an earlier question, I have done a quick tally, and I think that this year he has threatened to resign more times than he has met Michel Barnier.

On Tuesday, to avoid a defeat in this House, the Prime Minister offered a series of apparent concessions to her Back Benchers. Yesterday, after a meeting with the Prime Minister, the right hon. and learned Member for Beaconsfield (Mr Grieve) told Sky News that “we are going to get a meaningful vote on both deal and no deal. I have no doubt about it.”

Later, the Solicitor General told the “Today” programme: “I have a problem both constitutionally and politically with a direction given by Parliament”. Who is right?
industry. We must build on those successes. Leaving the customs union will enable us to develop an independent trade policy beyond the EU and with other countries, and leaving the single market will give us power and control over our rules and regulations.

T6. [905858] Craig Tracey (North Warwickshire) (Con): Can the Minister confirm that, as the UK will be able to sign free trade agreements during the implementation period, we will have taken control of our trade and so will be able to enjoy all the benefits that that offers from March 2019?

Suella Braverman: My hon. Friend makes a good point. The green section of the withdrawal agreement includes an express indication that, during the implementation period, we will, for the first time in 40 years, have the freedom to negotiate, sign and ratify trade agreements with third countries, opening our markets for British manufacturers, exporters and businesses, which is a surefire way of generating growth, jobs and prosperity.

T4. [905856] Karin Smyth (Bristol South) (Lab): In response to my previous question, I think the Minister said that there would be no additional Government resources for the Northern Ireland police force. Will he confirm that additional resources for any contingency would be met from within its existing budget?

The Parliamentary Under-Secretary of State for Exiting the European Union (Mr Robin Walker): I think the hon. Lady may have misheard me. I said that there would be no resources spent on going against our commitments on the border. That is the point I was making. Obviously, resources allocated by the Government are really a question for the Treasury and the Northern Ireland Office.

T7. [905860] Rebecca Pow (Taunton Deane) (Con): Does my hon. Friend agree that ending freedom of movement will at long last give us control over who can come to this country, and allow us then to create an immigration system that works for science, without limitless immigration from the EU?

Mr Robin Walker: I am very glad that we have legislation now that ensures that the devolution system is respected. That has been recognised by the devolved Government in Wales, and I still think that there is an opportunity for the devolved Government and the devolved Parliament in Scotland to come forward and recognise that fact.

T8. [905861] Stephen Metcalfe (South Basildon and East Thurrock) (Con): Does my hon. Friend agree that ending freedom of movement will at last give us control over who can come to this country, and allow us then to create an immigration system that works for science, without limitless immigration from the EU?

Mr Walker: My hon. Friend, who is a great champion of science in the UK, makes a very important point. We want to continue to attract the brightest and best to the UK, particularly those looking to work in our world-leading science and innovation sector. As I said earlier, the announcement of the new start-up visas is an important step in showing that a UK immigration policy can do that.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): May I ask the Secretary of State directly whether he thinks that he and his team have the right level of competencies to conduct these difficult negotiations? Is it about time that he thought very carefully about bringing in some new talent? I would suggest perhaps David Miliband, Gordon Brown and even the former Chancellor of the Exchequer. They might actually help him to do a job that needs attention to detail and real competence.

Mr David Davis: The attention to detail that delivered the financial crisis of 2008 is precisely what we do not want.

Eddie Hughes (Walsall North) (Con): The people of Willenhall and Bloxwich voted enthusiastically and overwhelmingly to exit the EU. Will the Minister assure them that they will get a Brexit deal that they recognise as Brexit?

Mr Baker: I can give my hon. Friend that assurance. We are determined to take back control of our laws, borders and trade policy. We will ensure that we go forward as a normal, independent country, where people know that it is this Parliament that governs their lives.

Ian Murray (Edinburgh South) (Lab): If the Government are so confident of achieving this wonderful trade deal with the EU—outwith the single market and the customs union—that they keep talking about, why are they so frightened to put that deal to the public to see whether it is the kind of Brexit that they expected?

Mr David Davis: The hon. Gentleman really must learn to pay attention during these questions. The simple truth is that creating such an incentive for the European Union would actually be the one thing that undermined the negotiations.

Mr Philip Hollobone (Kettering) (Con): In any divorce, the assets are divided. Including the £39 billion divorce bill, from the day we joined in 1973 to the day we leave,
we will have given £250 billion in today’s money to this organisation. What proportion of the assets are we going to get back?

Mr Baker: First of all, I refute the idea that this is a divorce. I prefer to think that we are loving siblings who have decided to grow up and move out into the house next door. We have reached a fair financial settlement, and I am pleased that we have.

Gavin Robinson (Belfast East) (DUP): The Secretary of State will understand that the natural consequence of proceedings on Tuesday was that amendments regarding Northern Ireland, the devolved regions and the border did not get the thoughtful or considered reflection that they should have. Will the Minister use his influence to ensure that, should those amendments come back to this House, any programme motion will be framed in such a way that thoughtful and considered reflections can be made during our proceedings?

Mr Robin Walker: The hon. Gentleman raises a good point. We did spend quite a lot of time discussing some of these issues during the earlier stages of the Bill. I think the amendment that was eventually passed reflected some of that debate, as well as the very good debate in the Lords. But of course these are very important issues, and we will look carefully at the programme motions for any further stages.

Jeremy Lefroy (Stafford) (Con): Yesterday’s remarks by the outgoing head of the CBI are very serious and need to be taken in that context. Do the Government have any plans to provide a detailed response to those remarks, given the importance of them to the auto industry and many other industries?

Mr David Davis: We take all remarks from business and business leaders very seriously. We have to make an assessment as to what is in the best interests of the whole country. We also have to balance—for example, with respect to customs union—the interests of existing companies and companies that may make the most of opportunities in the rest of the world when we get freedom from the common commercial policy. My direct answer to the end of my hon. Friend’s question is that we will be publishing a White Paper in the near future, and the matter will be addressed in that White Paper.

Gavin Newlands (Paisley and Renfrewshire North) (SNP): Can the Secretary of State confirm that any separate regulatory alignment deal for Northern Ireland will be available to Scotland?

Mr Davis: As we said in our proposal to the European Union, the backstop proposal was for the whole of the United Kingdom, and everything else will be for the whole of the United Kingdom, with minor variations that currently exist in Northern Ireland.

Deidre Brock (Edinburgh North and Leith) (SNP): Will the Secretary of State join me in appreciating the irony inherent in the news today that even businesses set up by Members of his own party are announcing their intention to move business to Ireland and are warning their investors of the uncertainties of Brexit?

Suella Braverman: Let us also focus on the recent investment decisions that we are hearing about. We have a record number of foreign direct investment projects in the UK. We have just heard that Amazon will be investing more money to create 2,000 or so jobs in the UK. Multinational global companies in pioneering sectors are choosing the UK, after our decision to leave the European Union, to build their businesses and grow jobs.

Chi Onwurah (Newcastle upon Tyne Central) (Lab): The Dutch Government are offering advice on Brexit to Dutch businesses. The Irish Government are offering grants to Irish businesses affected by Brexit. In the absence of anything from this Government, the North East England chamber of commerce has produced a checklist. The Secretary of State seems to think it is unreasonable for businesses to demand greater clarity or progress, but could he at least offer them some advice?

Mr Baker: We have done a huge amount to engage with business. As I said in response to earlier questions, we will reveal more of our plans in the next few weeks and months, and as we do that, we will engage in more detail with businesses right across the country.

Alison Thewlis (Glasgow Central) (SNP): The UK Government have long used the fact of being in the EU as an excuse for not implementing the international code of marketing of breast-milk substitutes. Will the Government make it their policy to adopt that code after we leave the EU?

Mr Robin Walker: The hon. Lady has raised that point before in these questions. She will appreciate that that is not necessarily a question for this Department, but she points to an area in which the UK may have greater flexibility in the future, which we should welcome.

Patrick Grady (Glasgow North) (SNP): The Secretary of State listed a series of conventions and mandates that he wants to see respected in the Brexit process. I notice that he did not mention the mandate of the 62% of people in Scotland who voted to remain and the 20-year-old Sewel convention, which determines the relationship between this place and the Government in Scotland. Does he seriously think that ripping up the 20-year-old devolution settlement on this island is a price worth paying for a hard Tory Brexit?

Mr Walker: As I have said, we are absolutely committed to the devolution settlement. The arrangements we have reached respect that devolution settlement. In a week in which we have seen a lot of debate about meaningful votes, it is a shame that the SNP colluded in a series of meaningless votes, three times voting on the same thing twice, which ate into the time available to debate these issues.
Galileo Programme

10.37 am

Nia Griffith (Llanelli) (Lab) (Urgent Question): To ask the Secretary of State for Defence if he will make a statement on the UK’s future participation in the Galileo Public Regulated Service.

The Parliamentary Under-Secretary of State for Defence (Guto Bebb): The Government have been clear that our preference is to contribute fully to Galileo as part of a deep security partnership with the European Union and that negotiations should be allowed to run their course. That includes UK involvement in the design and development of Galileo’s encrypted signal for use by Governments, the Public Regulated Service.

On 13 June at the European Space Agency Council, member states agreed to proceed with the procurement of the next phase of Galileo. UK companies are not eligible to bid for those contracts. By forcing through that vote while excluding UK companies from the contracts on security grounds, the European Commission has put all of this at risk. The Commission also published slides setting out the EU’s response to the UK’s technical note on Galileo published on 24 May, which explained our requirements for future participation in the programme. The EU proposal does not meet UK defence and industrial requirements, and we could not justify future participation in Galileo on that basis.

The UK has explained that without full, fair and open industrial involvement, guaranteed access to the signal and full understanding of the system’s technical characteristics, Galileo would not offer the UK value for money or meet our defence needs, and that we would be obliged to walk away, resulting in delays and additional costs to the programme that will run into the billions. The Government will need to consider the implications of the recent ESA vote, but we are looking at other options, including a UK global navigation satellite system.

Nia Griffith: The future of the UK’s relationship with Galileo is extremely important, and yesterday’s release from the Commission reveals the enormous gulf between the UK Government’s position and the Commission’s view. This matter must be dealt with urgently.

The strategic defence and security review highlighted the importance of Galileo for our armed forces, saying: “we will enhance the resilience of military users and key domestic resilience responders using new technologies incorporating the European Galileo system.”

Having secure access to global positioning and navigation systems is vital for our armed forces, given the increasing threats to GPS integrity from cyber-attacks, jamming and spoofing. Will the Minister tell us what arrangements will be in place for the armed forces if the UK is excluded from the public regulated service, and what implications that will have for their ability to conduct planned operations?

The Commission’s latest release is clear that the UK outside the EU cannot have the same relationship with the programme as we would have as a member state, but it does say that access to the PRS is possible for third countries if a specific agreement is in place. Is that what the Government plan to do, and if so, what urgent steps is the Secretary of State taking to get such an agreement? How many times has the Secretary of State personally met or spoken to Federica Mogherini about the specific issue of Galileo?

We do not simply want to be third-party users of the EU Galileo systems; we want our industry to be at the heart of the design process. However, the Commission is insisting that working on the design and development of security-related and PRS elements is restricted to EU member states only. The UK space industry is worth nearly £15 billion annually to UK plc, with over 40,000 direct employees and 1,400 apprentices. What discussions has the Minister had with industry stakeholders about the impact of the UK dropping out of Galileo?

Finally, the Secretary of State and his Ministers have made repeated reference to a UK alternative to the Galileo system. Will the Minister tell us what steps they have taken to explore such an alternative, and what discussions about it they have had with key non-EU allies? We know that this would be an extremely expensive endeavour to undertake, so what contingency money has been set aside for the project and what advice has he received about a timeframe for delivery? Galileo and the PRS are of major importance to us, and I hope that the Minister will be able to provide us with some concrete answers.

Guto Bebb: I thank the hon. Lady for her questions. Indeed, it is important that we have a very strong cross-party view on this issue, because all Members of this House would find the idea that the UK is being excluded on security grounds to be completely unacceptable. The merest concept of the UK being considered a security risk should be challenged by all Members of this House, and I am sure the hon. Lady will join me in highlighting our disappointment that such a decision has been taken.

On the questions asked by the hon. Lady, Lady, at this point in time the PRS system under Galileo will not be in operation until the mid-2020s, and in the meantime we will be working under the current GPS system. The hon. Lady is absolutely right that the Ministry of Defence has made no secret of the fact that we consider the capability we will offer our military from Galileo to be increasingly important and crucial, and it is an issue of real concern that we will have to look at this in very great detail.

The hon. Lady asked whether the Secretary of State and Ministers are looking at this issue and talking to the industry. I assure her that the Secretary of State has had numerous meetings on this issue, and I have personally taken it up with every single counterpart from the European Union whom I have met over the past few months, including with the junior Defence Minister from Poland yesterday. The Department has communicated this very strongly to our counterparts, and we are disappointed that we have not as yet secured the agreement we need.

May I stress that the agreement we need is one that will be good for the security of Europe and for the security of the United Kingdom? I state again that the United Kingdom, in leaving the European Union, has made it very clear that we are not leaving our obligations to the security of Europe. Those obligations are unconditional and, frankly, we find it disappointing.
that the European Union has not taken those guarantees and assurances in the spirit in which they have been offered.

On discussions with the industry, I applaud the hon. Lady for acknowledging the strength of the UK industrial offer on space. Indeed, only recently when I spoke at the defence space conference, I highlighted the opportunities we see for the future of the space industry in the United Kingdom. We are now having to look extremely carefully at the possibility of developing our own options.

I stress again that this Government would prefer to remain involved with the Galileo project, but given the strength of this industrial sector and the strength of what we can offer the Galileo project, I think it is really a case of the European Union doing damage to itself, while we are in a position to move forward, building on the strength and expertise of the industry in the UK, to ensure that we meet the requirements of UK defence and the wider defence sector. I assure the hon. Lady that we will not allow any flight of expertise from the space sector as a result of the decision taken yesterday.

Sir Desmond Swayne (New Forest West) (Con): I hope we are planning on getting even.

Guto Bebb: I can understand my right hon. Friend’s frustration, and I say again that I genuinely feel that the United Kingdom’s exclusion on the basis of what I consider to be a false security case is unacceptable, but this is not about getting even. It is about doing the right thing for the industry, the United Kingdom and our defence capabilities. I would prefer to get the right decision.

Carol Monaghan (Glasgow North West) (SNP): This is an extremely concerning situation and clearly demonstrates how shambolic the negotiations are. It is in the UK’s strategic defence interest to maintain a UK-EU security partnership. We will not build or maintain trust by taking a high-handed approach to the negotiations. Back in April 2017, I asked a series of written questions about our commitment to Galileo. The then Science Minister, the hon. Member for Orpington (Joseph Johnson), replied:

“it is too early to speculate on the UK’s future relationship with specific EU programmes”.

Is it still too early to speculate? When I asked “what contingency plans to put in place in the event the UK is unable to access the Galileo or GPS navigation systems after the UK leaves the EU”, he responded:

“The UK’s arrangements to access the encrypted GPS signals will be unaffected by UK exit from the EU.”

What representations has the Under-Secretary made to the European Space Agency about future access to contracts and the encrypted signal? For the second time, I ask: what contingency plans are in place in the event the UK cannot access Galileo? No doubt we have the expertise here in the UK to develop our own system, but where does that leave UK-EU collaboration, which is critical to our future security?

Guto Bebb: I would again stress that it takes both sides to come together. The United Kingdom has been very clear that it wants to continue to be involved in and to contribute to Galileo, but those requests have been rebuffed. Clearly, we hope that this situation can be resolved and reversed, but the good will that the UK has shown has not resulted in similar good will from the European Commission, which is a significant concern.

On the question about ministerial discussions, I can stress that those discussions have been across ministerial responsibilities. Defence has been involved, but others have clearly also been involved. In many ways, the frustration for Ministers is that although the bilateral discussions with counterparts in Europe have invariably been positive, it seems that the Commission sees this as a negotiating tactic. The United Kingdom has been clear that it will never negotiate on the basis of our security concerns. That is a key point we are highlighting. From a security perspective, we have always been committed to the security of Europe. It is a shame that the Commission does not share our good will.

On our obligations to industry, I entirely agree with the hon. Lady that we have the capability and capacity to develop our own system in due course. The Galileo system will not be online until the mid-2020s. We have had deep and meaningful discussions with the defence industry on alternative options, and I stress again that, if need be, the United Kingdom will respond and develop its own system, but we would prefer to ensure that the Galileo system works for the security of the whole of Europe.

Mr Marcus Jones (Nuneaton) (Con): This is a classic example from the unelected Commission of cutting off one’s nose to spite one’s face. I encourage my hon. Friend to do all he can to resolve this matter, but if we cannot, I would say to him, without fear, that the other options he mentioned should be considered very strongly and that we should work with British industry to develop our own systems.

Guto Bebb: I agree with my hon. Friend that we do not want the European Union or the United Kingdom to cut off their nose to spite their face, but we will not take any risks with the security of our armed forces or the capabilities they need. Our space industry is responsible for 6.5% of the global market. We have an ambition to grow that to 10%. Be in no doubt: our discussions with the space sector show that, although it is very disappointed with the Commission’s decision, it is also very excited at the prospect of developing our own capability.

Hilary Benn (Leeds Central) (Lab): The European Commission’s approach in this matter is counterproductive and, in suggesting that the UK could suddenly become a security risk after we have left, frankly insulting. If the current position holds, does the Minister share the concern some have expressed that some manufacturing capacity on space and satellites, which is currently located in the UK, might move to the EU?

Guto Bebb: I thank the right hon. Gentleman for his very clear statement on the comments made about the UK being a security risk. I think that that is appreciated by all Members. Is there a concern about UK industry leaving as a result of this decision? Of course there would be concern, but the key point is to respond to those concerns. That is why various Government Departments, including the Ministry of Defence, have
been in constant communication with the defence sector. Indeed, if it were not for this urgent question I would be on my way to meet companies involved in the space tech sector in Oxford at this very moment. I will still be visiting them, but after this urgent question. I can assure the right hon. Gentleman that the prospect of developing our own initiative is very much to ensure that the skills that are so crucial for the future economic prosperity of the United Kingdom are retained in the United Kingdom.

Dame Cheryl Gillan (Chesham and Amersham) (Con): The Chancellor is reported to have said that if we fail to continue in the Galileo programme we will build our own GPS system. Does the Minister have any idea of the cost and the timescale?

Guto Bebb: I thank my right hon. Friend for her very pertinent question. It is the case that the Chancellor has been very clear and across Government we have been very clear on this, but it would be too early for us to highlight the actual cost involved. She should have no doubt about the fact that the cost involved would be no greater than our current contribution to the Galileo project, and I think the benefits to the UK could be even greater. I assure my right hon. Friend that the Chancellor’s support on this issue should be taken as a clear sign.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): Surely the Minister understands the size—18 hugely expensive satellites and so many years of research and development—of the Galileo project? My contacts in Cambridge say it would be catastrophic for us to be excluded, not just because of security and defence but for international air travel and much else. He must not underestimate how damaging this is. It is a symptom of leaving Europe and European co-operation.

Guto Bebb: I agree entirely with the hon. Gentleman about the importance of this matter, which is why he should also address his concerns to the European Commission. This will be damaging both to our partners in Europe and to the United Kingdom. We have done everything in our power to highlight the fact that we want to continue to contribute fully to the programme. Those efforts have been rebuffed thus far. That is a great shame and it is a mistake on behalf of the European Commission that places all our security at risk. I stress that we will continue to invest in our capabilities if that has to be the situation.

Mr Philip Dunne (Ludlow) (Con): I commend my hon. Friend for his response to the urgent question and for seeking to build cross-party consensus to condemn the reaction of the European Commission, which is clearly undertaking protectionist policies in part because it sees the strength of the space industry developing in this country. EU-based companies are currently considering relocating some of their space capability to various regions around the UK to take advantage of the skills we have here.

The Prime Minister has been very clear to the EU that defence and security matters should not be affected by Brexit, and that we wish to have a continuing strong partnership with our EU nations. Does the Prime Minister intend to bring this matter up at the EU Council or at the NATO summit in July to ensure that our partners in Europe recognise that we are making a very fulsome offer for continued security co-operation, including on the Galileo project?

Guto Bebb: I thank my hon. Friend and predecessor in this role for his question. I also thank him for his work highlighting the contribution of defence to UK prosperity. As part of that work, he highlighted the contribution that defence makes to the space sector in the United Kingdom. I would argue that our lead in the space sector in the European context is coveted by others. It is key that we again express our willingness to work with our partners in Europe, but if that is again rebuffed we should build on the skills and the developments of the industry in the United Kingdom and highlight the fact that we could still push this issue forward with our fantastic industry capability.

Wera Hobhouse (Bath) (LD): Can the Minister confirm that the possible threat to the Galileo project and the future of the British space industry was fully considered during the EU referendum debate?

Guto Bebb: Many and varied issues were discussed during the European referendum campaign. It is certainly the case that nobody, on either side of the campaign, took the view that the democratic decision of the British people would be met by a decision from the European Commission that would threaten the security of the whole of Europe. Nobody thought that such a response was likely.

Bob Stewart (Beckenham) (Con): It would be a shame if our defence and security services were not fully a part of the Galileo system, but we can get around that. We have a world-beating, world-class space technology industry in our country. Does the Minister agree that, if that industry were not involved in the Galileo project, the project would be the poorer for its non-involvement?

Guto Bebb: My hon. and gallant Friend strikes the nail on the head. He is absolutely right that this decision will be damaging for the capabilities of the whole of Europe. In view of the Prime Minister’s statement on our willingness to co-operate on security issues, the situation that we are now facing is genuinely disappointing. Again, he highlights the fact that we have the capability, skills and expertise to develop our own system if that is what we have to do.

Ian Murray (Edinburgh South) (Lab): I declare an interest as a trustee of the Royal Observatory in Edinburgh. The Government have said in response to a written question:

“In the long term, we believe that”

a British global navigation satellite “system could be operated for around the same annual cost as the UK’s current contribution to the EU’s Galileo programme.”

Could the Minister tell us: what are the short-term costs?

Guto Bebb: The written answer highlights the fact that our current contribution is about £200 million a year. The total billed cost would be estimated at about £4 billion. So in the short term we still want to ensure
that we have an involvement with Galileo: that is still our aim. The Prime Minister will take this issue up, and it is clearly important that she does so. It should be noted that, thus far, every single satellite utilised within the Galileo system has been built in the UK, so I wonder whether this urgent question should be taken in every other Parliament in Europe as a result of the decision taken yesterday.

Vicky Ford (Chelmsford) (Con): A decision that would cut the UK out of Galileo would set very difficult precedents for our future ongoing partnership on security. Yesterday’s decision was made by the European Space Agency Council. May I join my hon. Friend for Ludlow (Mr Dunne) in calling for this now to be raised at a higher level, such as through NATO or at this month’s European Council?

Guto Bebb: I hear my hon. Friend very clearly. I have no doubt that the Department will ensure that our representations are made to the Prime Minister, and I am absolutely confident that she will be raising these issues at the NATO conference and at further meetings with the European Union.

Stewart Malcolm McDonald (Glasgow South) (SNP): We know from the National Audit Office report that the funding gap in the Minister’s Department is about 20 billion quid. What will it be if he has to set up his own Galileo system?

Guto Bebb: I now feel as though I am back at Defence questions and having to explain that the National Audit Office report on the so-called black hole was based on the worst-case scenario occurring in every single project, with no efficiencies whatsoever being generated. The truth of the matter is that we are increasing defence spending. There is an important message here: the United Kingdom is currently one of the few countries in the European Union that is meeting its NATO obligations and that is willing to put taxpayer-funded money into its protection. I know that that type of issue upsets the hon. Gentleman, but the reality is that we take the protection of our security and that of Europe part and parcel of our involvement with Galileo: that is still our aim. The Prime Minister will take this issue up, and I commend her for her fantastic work on behalf of our armed forces and for her contribution to defence issues in this House. She rightly touches on the impact of this decision on the security of the whole of Europe, including the United Kingdom, and I hope that in bilateral discussions with colleagues in other countries, she will highlight the dangerous nature of this decision. She asked about the European Defence Fund. Bilateral discussions with my counterparts have indicated that they would like us still to be involved with that, and we have been clear that that is our intention. Does this decision compose one beneficiary in national security and security that this small-minded decision has led to?

Guto Bebb: I thank the hon. Lady for her kind words, and I commend her for her fantastic work on behalf of our armed forces and for her contribution to defence issues in this House. She rightly touches on the impact of this decision on the security of the whole of Europe, including the United Kingdom, and I hope that in bilateral discussions with colleagues in other countries, she will highlight the dangerous nature of this decision. She asked about the European Defence Fund. Bilateral discussions with my counterparts have indicated that they would like us still to be involved with that, and we have been clear that that is our intention. Does this decision throw doubt on that? I think the answer is yes. Will we carry on negotiating and discussing in a constructive manner because we believe strongly in the common defence of Europe? The answer to that is also yes and I hope the hon. Lady will continue to support us in our endeavours.

Alex Chalk (Cheltenham) (Con): British intelligence agencies, including GCHQ in my constituency, make an enormous contribution to European security. In those circumstances, for Britain to be threatened with exclusion on the grounds of security is unreasonable, unfair and bordering on the insulting. Does my hon. Friend agree that the Prime Minister should make it crystal clear in June that, in forthcoming negotiations, security should remain inviolable and not a matter for negotiation?

Guto Bebb: First, I pay tribute to the workers at GCHQ, many of whom are my hon. Friend’s constituents. I visited GCHQ last Thursday, and he is right to highlight the contribution that people there make to security not just in the United Kingdom, but across Europe and on a global basis. I entirely agree with my hon. Friend—I think the Prime Minister should raise this issue and highlight once more that we do not consider a threat to our security and that of Europe part and parcel of our negotiations to withdraw from the European Union.

Mr Paul Sweeney (Glasgow North East) (Lab/Co-op): The UK’s space industry is world class and world leading, and a good example of that is Clyde Space in Glasgow, which is a world-leading manufacturer of cube satellites. The CEO of Airbus, Tom Enders, has called on Britain and the European Commission urgently
to find a solution to this issue for the safety of the entire region. What reassurance can the Minister give to industry stakeholders that this issue will be resolved so that they do not move elsewhere, especially bearing in mind the huge time constraints on the procurement process for Galileo?

**Guto Bebb:** The hon. Gentleman will be pleased to know that the Government argued strongly that UK companies should not be excluded from the current round of contracts offered through the Galileo project. We have met industry partners and representatives on an ongoing basis. I have done that as well in my role as the Minister responsible for defence procurement. I assure the hon. Gentleman that we will continue to engage fully with this UK industry because we know how important the industry is for our future prosperity. We want to give confidence to that sector of our economy that there is a strong future for it in the United Kingdom. We have the technology and skills, and we will need to reassure the industry that the Government are fully committed to ensuring that we have the capability we need from the Galileo system in a UK context, if that is what has to happen. I stress, however, that our preference would be to have a reasonable response to our very fair request to the European Commission.

**Bob Blackman** (Harrow East) (Con): What discussions have the Government had with non-EU NATO allies on the possibility of a NATO-wide scheme, which would actually suit Britain quite well?

**Guto Bebb:** I know for a fact that this issue has been raised with NATO allies, certainly by Defence Ministers. In terms of whether it is the way forward, we have always believed that NATO is a key component of our security, which is why we are one of the few nations within NATO that meets the obligation for a 2% spend on defence. Everybody within NATO understands the importance of having these systems in place. We understand the challenges to the current system that we are utilising, and I therefore have no doubts that this issue will be raised by representatives of this Government at the NATO conference.

**Patrick Grady** (Glasgow North) (SNP): My constituency neighbour, the hon. Member for Glasgow North East (Mr Sweeney), is absolutely right about how crucial the satellite manufacturing and space industry is to Glasgow, as is the world-class space research that takes place in the University of Glasgow and other institutions in the city. As well as discussions with industry, what discussions has the Minister been having with the university sector and research institutions about the impact on their contracts and research as a result of the possible withdrawal from the Galileo programme?

**Guto Bebb:** I thank the hon. Gentleman for his question. He is absolutely right to highlight the key importance of academia to this issue. While I have not been in contact with any universities on this matter, I am assured that the Minister for Universities, Science, Research and Innovation has. The university sector has a huge contribution to make to the development of the UK space sector, and I think that those discussions should be ongoing, as they have been over the past few months.

**Mr Philip Hollobone** (Kettering) (Con): This decision shows that there are key elements in the European Commission who are determined to punish the United Kingdom for Brexit, even if it is at their own expense. Our response to this decision has implications for the wider negotiations, so I urge my hon. Friend not to go back on bended knee, but to make it clear that, given that our good will has been rebuffed, and given our status as a security guarantor for the continent of Europe, unless this decision is reversed at the European Council, we will proceed forthwith to set up our own bespoke system.

**Guto Bebb:** I thank my hon. Friend for his question. It is certainly a huge disappointment that our straight offer on this issue, which was a very clear statement of intent to remain fully involved in the Galileo project, has been rebuffed. Time and again, Members—certainly on the Government Benches, and I think across this House—who were on different sides of the referendum campaign have been very clear that, while we have taken a democratic decision to leave the European Union, we have no intention of leaving or abandoning Europe. Those positions were made very clear in our negotiations on Galileo. It is a huge disappointment that they have as yet not been responded to in kind by our European Commission partners. I think that this issue will have to be taken up at a very high level. It has to be highlighted that the loss to the Galileo project from the UK not being involved should not be underestimated. But, if necessary, as I have said several times this morning, the United Kingdom will move ahead to develop our own system.

**Martin Whitfield** (East Lothian) (Lab): Does the Minister fear that the decision is a precedent, or is it a mere blip with regard to future negotiations about the myriad agreements, particularly in science and defence, that are coming and will need to be discussed?

**Guto Bebb:** I sincerely hope that this decision will be reversed and, therefore, it will be a blip on the journey towards a sensible solution to the United Kingdom’s decision to leave the European Union. Again, we have made it very clear—the Prime Minister has made it very clear, as have Members across this House—that we are fully committed to security co-operation with our European partners. We want to be involved in the European Defence Fund. We want to remain involved in Galileo. We certainly want to continue to contribute to NATO in the way that we have over the years. Our messaging has been very clear on this issue, and it is hugely disappointing that the European Commission has responded in the way that it has. This issue will continue to be taken up by this Government, and I sincerely hope that good will will prevail.

**Jeremy Lefroy** (Stafford) (Con): Are there currently any non-EU member states that participate in Galileo and whose companies have access to contracts from Galileo?

**Guto Bebb:** My hon. Friend makes an important point, but of course, there has not previously been a country that has been so heavily involved in Galileo and committed to the project being threatened with exclusion. The key issue is this: do we have more to contribute to
Galileo? The answer is yes. Do we want to carry on making that contribution to Galileo? The answer is yes. Do we have the capability to develop on our own if we need to? The answer, again, is yes. The decision is now clearly one for the European Commission. In my view, it made the wrong call yesterday—the wrong call for the security and prosperity of Europe—and I think it is absolutely essential that we move forward very strongly in partnership both with those countries within the European Union and with those partners within the system who are not currently in the European Union.

Rolls-Royce Redundancies

11.10 am

Margaret Beckett (Derby South) (Lab): Urgent Question:

To ask the Secretary of State for Business, Energy and Industrial Strategy to make a statement on the announcement by Rolls-Royce of 4,600 redundancies over the next two years.

The Secretary of State for Business, Energy and Industrial Strategy (Greg Clark): As the right hon. Lady has said, Rolls-Royce announced this morning that as part of an ongoing restructuring of its business, it intends to reduce the size of its worldwide management and support workforce by up to 4,600. As the company’s main management base is in Derby, it has said that that is where the biggest reduction will be felt. Although the company will embark on a statutory consultation with staff and unions, it is obvious that the news will come as a blow to the workforce, and that this is a very worrying time for the dedicated and talented employees who did nothing to bring it on themselves, but who will be affected.

Rolls-Royce is one of our most important companies. It is a world leader in new technology, and plays a vital role in our industrial strategy. I spoke to Warren East, the chief executive, yesterday evening. Mr East explained that the company’s view is that the job losses are a necessary part of a drive to make the business more efficient and therefore more competitive. The jobs are principally in management and corporate support facilities rather than engineering and operational roles. Rolls-Royce has informed me that the announcement does not reflect a reduction in growth by the company; indeed, it reflects the reverse. It has a growing order book amounting to more than £170 billion, and Mr East told me that it would need more staff directly employed in both the manufacture of components and assembly to meet that demand. The company has told me that it will continue to recruit engineers, technicians and apprentices. It is continuing to invest in research and development. It invested £1.4 billion last year, and about two thirds of that investment was in the United Kingdom. Last year it filed 704 patents, more than any other single UK company.

When I visited Rolls-Royce at Derby just a few weeks ago, it was to break ground on the new test bed, part of an £150 million investment to ensure that the next generation of aero-engines will be built in Derby for many years to come. We will work closely with the company, the unions, the local enterprise partnership, councils and, of course, the right hon. Member for Derby South (Margaret Beckett) and other colleagues to ensure that each and every worker is supported in finding new work. We will continue to support a company, and an industry, of which we can be proud, and our biggest contribution will be to ensure that everyone in Derby, and in Britain as a whole, is able to benefit from a growing, modern economy that creates good jobs now and will do so long into the future, so that when jobs are lost, people can find new ones to support themselves and their families.

Margaret Beckett: I thank the Secretary of State for his statement. I hope that he understands clearly the enormous economic and social impact that this
announcement will have—particularly, as he said, on
the city of Derby, but throughout the east midlands and anywhere else in the country where manufacturing is considered important, and particularly where manufacturing excellence is highly regarded.

I was pleased to hear the Secretary of State say that he recognised the huge importance of a world-class company such as Rolls-Royce, especially as we approach our departure from the European Union. These are the kind of jobs, and this is the kind of industry, that we want for the future, because of its export potential and because of its potential throughout the world. However, will the right hon. Gentleman say a little more about what the Government can do to address some of the problems that will be caused as an inevitable consequence of the announcement? I heard the company’s chairman say this morning that he hoped that most of the redundancies would be voluntary, and that the company would abide by agreements made with the trade unions, but that there might be some compulsory redundancies. What can the Government do to ease the situation?

I was pleased to hear the Secretary of State note the company’s emphasis on the need for continued investment. I know that, as he said, it is continuing to hire engineering expertise and to maintain its apprenticeship programmes, and to do the things that we hope it will do for the future of the company and of our country, but I want to press him a little more on just how close a relationship the Government have with Rolls-Royce. I know that he visited the company recently, but I think that that was his first ever visit.

I am mindful of the fact that we have corresponded with the Department about the issue of investment in small modular reactors. The company invested substantial resources of its own money in that technology, without any corresponding commitment, even in decision making frankly, by the Government, which I know has been a great disappointment to the company, especially as this technology is thought to have great export potential.

The Secretary of State referred to the need for continued investment, and I note that the title of his Department includes the words “industrial strategy”, which I welcome, but if there is an industrial strategy, what is it if it does not include a strong partnership with companies such as Rolls-Royce that might, one would hope, avert announcements like today’s?

**Greg Clark:** I am grateful to the right hon. Lady for bringing this matter to the House in such a timely way. She has a long record of engagement with what is not only a very important employer but a very important national force. It is important to stress the point I made in my statement, and which Mr East has emphasised: the company is expanding its production. It expects to employ more apprentices, technicians and engineers, and has a growing order book; it has a waiting list for orders to be placed. As the right hon. Lady knows, that is in the context of growth in manufacturing in Derbyshire and across the east midlands, and it is very important that that is supported.

The skills among the employees whose jobs are under threat are valuable. The fact that they may be in management does not mean that they are not highly valued, in an economy nationally and in the east midlands that has a great demand for those skills. We will work very closely through the rapid response service that the Department for Work and Pensions provides to make sure that opportunities are offered, whether they are new jobs for existing employees or new opportunities to train in an expanding manufacturing sector in the east midlands. As the right hon. Lady knows, Infinity Park, for example, is continuing to attract new investment; just in recent days Airbus has announced an intention to establish an important facility there.

Our relationship with Rolls-Royce is very close, and it is at the heart of the industrial strategy; it is one of our most important aerospace partners. I have met numerous times with the management of the company all around the country. Since 2015 some £150 million of Government investment has been deployed in partnership with Rolls-Royce. It has been a major force in shaping our industrial strategy. Precisely for the reasons the right hon. Lady mentions, the industries in which it is engaged—aerospace, defence and the power sector—are some of the industries in which Britain leads the world, and we will do everything we can to drive that expansion forward.

**Dame Cheryl Gillan** (Chesham and Amersham) (Con): I thank the Secretary of State for what he said about Rolls-Royce, but is it not true that it announced its restructuring programme in January and that that was followed by very good year-end results in March? Is it not absolutely necessary that as Rolls-Royce has growing revenues, it must now restructure itself so that it is simplified and has the agility and pace of production to remain one of the world’s leading industrial technology companies?

**Greg Clark:** My right hon. Friend is right to stress that it is important for any British company in an internationally competitive market to be efficient. The company has been very clear about its intentions as a growing company in a growing market. But having made a number of profit warnings over recent years, the management have been on a programme to make its operations more efficient. It is in all of our interests that this company, which is so important to the UK, continues to be successful around the world and to be at the leading edge of innovation, as it has been and as we are determined to see it be in future.

**Chris Williamson** (Derby North) (Lab): When I left school in Derby in 1972, Rolls-Royce employed around 35,000 people. Today, it employs just under 12,000. If these job losses go ahead, the workforce will be reduced to around 8,000. That is a huge reduction. The company made a £4.5 billion profit last year, and when the Prime Minister hosted a meeting with the aerospace industry in March, she talked about a successful collaboration with the industry. Indeed, the Secretary of State has talked this morning about the close relationship with the industry and with Rolls-Royce. But talk is cheap. Is it not time for the Government to legislate to have workers on the boards of companies so that there is somebody there to represent the interests of the workforce? At the moment, we are seeing expanding order books while the workforce is diminishing. Is not this a failure of shareholder capitalism, which basically sacrifices jobs on the altar of higher shareholder dividends?

**Greg Clark:** I understand why a Member with a strong constituency interest in the workforce there would be anxious and combative in defending their interests.
will ensure, as will the trade unions, that the interests of the workforce are strongly represented. It is not true that all the redundancies will be at Derby, although the hon. Gentleman is right to say that a proportion of them will be. It is important that the company should adhere to its agreement with the trade unions, and I will of course make sure that it does that. In terms of the hon. Gentleman’s overall statement about the efficiency of course make sure that it does that. In terms of the hon. Gentleman’s overall statement about the efficiency of companies, I think he should just reflect that his desire to overthrow capitalism would make it very hard for anyone to find work in any private company at any time.

Rachel Maclean (Redditch) (Con): Does my right hon. Friend agree that the aerospace industry has gone from strength to strength under successive Conservative Governments? Looking more closely at Redditch, many of my constituents work for another engineering giant, GKN, and they want to know what the Government are doing through the industrial strategy to support and encourage the skills for the next generation of young people in engineering subjects, so that these companies can flourish in the future. Will he update the House on those plans?

Greg Clark: My hon. Friend is absolutely right to say that aerospace is one of the sectors in which our already strong reputation is growing. Through the industrial strategy, we are making a big investment in research and development and also in training, including retraining, so that an expanding industry can have access to the skills that it needs in the future. This will benefit her constituents and those of many others around the country.

Gill Furniss (Sheffield, Brightside and Hillsborough) (Lab): I also thank my right hon. Friend the Member for Derby South (Margaret Beckett) for securing this important urgent question. This is deeply disturbing news, not just for the city of Derby, which relies heavily on Rolls-Royce for local employment, but for the sector as a whole. Despite Rolls-Royce making a substantial profit of £4.9 billion last year, this recent restructuring means that more than 4,000 workers will lose their jobs. This is on top of 5,000 job cuts already announced by the company after a series of rationalisation programmes. What discussions has the Secretary of State had with the company to ensure that it will honour previous commitments that there will be no compulsory redundancies?

Will the Secretary of State also outline what assessment the Government have made of the economic impact on local communities that are reliant on Rolls-Royce jobs? There is a real risk that redundancies of this scale will have a detrimental effect on the future of skills in a sector with a substantial skills gap. What action will he take to ensure that these vital skills are not lost? What measures will the Government take to directly support a reinvigorated local industrial strategy? Finally, will the Secretary of State tell us whether he has made any assessment of the causes and of the potential knock-on effect on jobs in the supply chain, and what steps he is taking to support the automotive and aerospace sector more generally?

Greg Clark: I am grateful to the hon. Lady for her constructive questions. When it comes to redundancies, as I said to the right hon. Member for Derby South, there will be a statutory consultation. Rolls-Royce has confirmed to me that it will of course abide by its agreements with the trade unions and will seek to avoid compulsory redundancies wherever possible.

As for the impact on the supply chain, it is significant that this news comes in the context of a company that is continuing to expand production and manufacturing and its use of components—the principal suppliers to the business. The job losses are coming from management support, which will of course have an impact on the local economy. We will be working closely with the local enterprise partnership to ensure that the opportunities that exist in Derby and the west midlands are taken up.

The hon. Lady will know that unemployment has fallen substantially in the east midlands, so good opportunities are available. For example, she mentioned the automotive sector, and Toyota at Burnaston, which is not too far away from Derby, has invested a quarter of a billion pounds in the next generation of vehicles. We will ensure that the employees who are not continuing at Rolls-Royce will have our full support. Vacancies will be drawn to their attention, and they will have help with skills to ensure that they have everything they need to enjoy prosperous careers in the future.

Stephen Metcalfe (South Basildon and East Thurrock) (Con): I, too, recently visited Rolls-Royce’s campus in Derby in my capacity as envoy for the Year of Engineering, and I saw all the good work and investment that is going on. That said, this is obviously unsettling news for those in the management function of the business, whose jobs are potentially at risk. What assurances has my right hon. Friend had, or what assurances can he seek, on the behalf of the management and business process apprentices employed by the business to ensure that they are not affected?

Greg Clark: My hon. Friend raises an important point. The company has a firm commitment to apprenticeships, and I will emphasise the importance of continuity in the training offered to apprentices.

Alain Brown (Kilmarnock and Loudoun) (SNP): Any job losses are clearly a concern, so the potential loss of 4,600 jobs is a huge worry. I have constituents who work at the Inchinnan Rolls-Royce plant, so will the Secretary of State advise us of whether the restructuring will have any impact on jobs in Scotland?

While people often talk in general terms about having too many chiefs and not enough Indians, does the Secretary of State share my worry that it seems counterintuitive that Rolls-Royce says it will employ more engineers, continue to increase investment in R&D and expand massively while it is restructuring and downsizing the management? That does not sound quite right to me. Will the Secretary of State confirm that the Government will work urgently with Rolls-Royce, the unions and staff affected by the job losses to ensure that they can find alternative employment, if required, and that they get suitable retraining to find other jobs?

Will the Secretary of State advise the House on whether Brexit will have an impact on Rolls-Royce, in terms of the customs union? The company has already
said that it is thinking about relocating the jet engine design approval process to Germany from the UK, so could that have an impact on jobs? What impact will the rules of origin have on the company’s manufacturing? What discussions has the Government had about the potential impact on Rolls-Royce’s aspirations for small modular nuclear reactors?

**Greg Clark:** I am grateful to the hon. Gentleman for his questions. It is too early to know the distribution of the proposed redundancies across the United Kingdom. As I said to the right hon. Member for Derby South, the management headquarters is obviously in Derby, so the expectation is that most of the UK job losses will happen there, but the company and I will keep Members up to date as the consultation takes place.

As for the combination of an intention to expand the production of aerospace engines and a growing order book with the need for fewer managers, that is not uncommon across competitive industries, and most industries are becoming simpler in their internal processes. That is not to say that the skills, commitment and loyalty of those who are affected are not extremely high and that they will not be in strong demand elsewhere, and it is important that we support that. We will provide all the help and assistance we can if retraining is needed.

The hon. Gentleman asks about Brexit, and Rolls-Royce has been clear that this is about making the company more efficient. It has no relation to Brexit, although it is fair to say that the continued ability to operate a just-in-time production system once we leave the European Union will, of course, be very important to the company.

**Mr Marcus Jones** (Nuneaton) (Con): I represent constituents who work at Rolls-Royce both in Coventry and in Derby. This is clearly a sad day for those affected by this decision and their families, but I am heartened that Rolls-Royce is looking to expand the number of engineers at the company and to take on more apprentices. How will the Government work with companies such as Rolls-Royce, and with other manufacturing companies, to make sure we can bring through the next generation of engineers and bring them into our economy?

**Greg Clark:** My hon. Friend makes an important point. In fact, the demand for engineering skills is increasing right across the country, including in both the east midlands and the west midlands. Rolls-Royce itself plays an important role in training engineers. I met some of the young engineers in Derby, and they can look forward to a wonderful career in engineering.

Through the industrial strategy, as my hon. Friend is aware, we are placing greater emphasis on science, technology, engineering and maths skills in schools and colleges, and we are creating institutes of technology. With the aerospace and automotive sectors in the east midlands and west midlands, we are now creating more places for apprentices through those joint initiatives so that we can supply the growing order books, based on the skills that are needed.

**Mr Jim Cunningham** (Coventry South) (Lab): I worked at Rolls-Royce when the company collapsed in 1971, and I can tell the Secretary of State that a lot of people at Rolls-Royce will be very worried indeed about their future. We have a plant just outside Coventry, as the hon. Member for Nuneaton (Mr Jones) mentioned. What will be the impact on, for example, the Ansty plant in Coventry and the Bristol plant, and on other plants across the country? Equally, this will have an impact on the supply chain, because I do not believe Rolls-Royce has 4,000 managers.

**Greg Clark:** The announcement was made at 7 o’clock this morning that there is a proposal to reduce the headcount. Rolls-Royce has specified that the reduction will be in the management and support functions, rather than in the engineering and operational aspect. When further information is made available, I will make sure the hon. Gentleman, as the Member for a constituency with a great interest in the matter, shares in that information.

It is important to emphasise that the aerospace sector is characterised by growth. The proposed redundancies at Rolls-Royce—I make no bones about it—are clearly devastating news for those who may be affected but, overall, aerospace, including Rolls-Royce in this country, is enjoying higher order books. We will work together to make sure that, including in the test beds we have established together, we are at the forefront of the latest technologies in the future, as we have been to date.

**Bob Blackman** (Harrow East) (Con): Rolls-Royce is a worldwide brand of which our competitors are clearly jealous. What extra assistance can my right hon. Friend or the Department for International Trade provide, as we leave the European Union, to increase the opportunities for Rolls-Royce worldwide?

**Greg Clark:** Rolls-Royce is already one of our most successful exporters. All around the world, my Department and the Department for International Trade work closely to support the company’s export push. The industry is very competitive, and there is a requirement to be at the cutting edge of technology, so our investment in research and development is an important boost to that future international competitiveness. When it comes to trade promotional support, there is already a close relationship between the company and the Government.

**Diana Johnson** (Kingston upon Hull North) (Lab): The Secretary of State has talked about the aerospace industry in this country doing well and growing, but he will be aware that BAE Systems is making people redundant at Brough. Will he say a little more about what he is doing to protect the home of the Hawk by encouraging orders for it from around the world?

**Greg Clark:** The hon. Lady knows—we have had previous exchanges on this across this Dispatch Boxes—that the future of the employees there depends on defence export orders. I think she would acknowledge that there is no one more vigorous than our colleagues in the Ministry of Defence, the Department for International Trade and my Department when it comes to meeting businesses and those who are in defence procurement to emphasise the good quality and importance of our aerospace industry right across the country.

**Tom Pursglove** (Corby) (Con): As my right hon. Friend knows, I am a big supporter of the value of the industrial strategy for midlands manufacturing, so what specific role does he see for Rolls-Royce within it?
Greg Clark: Rolls-Royce has a huge role nationally, but of course it also has a particular role in the east midlands. We see that in the number of people who acquire their skills, and in many cases their inspiration to go into careers in engineering and advanced manufacturing, from the experience of having Rolls-Royce in their midst. That is one reason why we have such a close partnership with it, as I said to the right hon. Member for Derby South. We have made £150 million of joint investment with it since 2015, which shows the depth of that commitment. The reason for that is not just the importance of the company succeeding, but its galvanising effect on the rest of the UK economy.

Martin Whitfield (East Lothian) (Lab): Today’s devastating news will affect a lot of families, and the promise of jam tomorrow may not satisfy them. There are also reports that Rolls-Royce intends to move some operations into Europe. Will the Minister confirm what discussions he has had with Rolls-Royce to prevent these moves as a result of our departure from Europe?

Greg Clark: As I said to the hon. Member for Kilmarnock and Loudoun (Alan Brown), Warren East has been clear that the proposals that have been made today have nothing to do with any Brexit discussions; they are about the efficiency of the operation. When we talk to those in the aerospace sector, as I do, we find that Rolls-Royce is prominent among them in emphasising the absolute importance of ensuring our ability to export free of tariffs and with a minimum of frictions, and that that is fundamental to the sector’s ability to be as prosperous in the future as it has been to date.

Ian Murray (Edinburgh South) (Lab): The aerospace industry is one of the jewels in the British industrial crown, so will the Secretary of State tell the House what reassurances he has given the industry with regard to Britain’s exit from the European Union?

Greg Clark: I have extensive consultations with all players in the industry. I listen to them, and make clear in our discussions in government and in our negotiations that what they require in precision terms to be able to operate the efficient system that they do at the moment must continue. As the hon. Gentleman says, this is a jewel in the crown of British industry. It is an industry that must continue. As the hon. Gentleman says, this is a new product, particularly for the small airliner market, which is restricted because of this country’s lack of capacity for long-term industrial investment through state investment banks. Will the Secretary of State consider how we can support industrial development in the longer term by developing such capacity in the UK through a state bank for new product development?

Mr Paul Sweeney (Glasgow North East) (Lab/Co-op): Normally when the House is told of big job losses at a company it is because that business is in financial trouble, but Rolls-Royce is profitable and has a growing order book. It would seem that it is making these job losses in order to become more efficient. It would also seem from what the Secretary of State is saying that a lot of those who are, sadly, going to lose their jobs have very highly transferable skills. Will he ensure that the local enterprise partnership and neighbouring LEPs have the resources they need to place those highly skilled people in alternative employment?

Mr Philip Hollobone (Kettering) (Con): Normally when the House is told of big job losses at a company it is because that business is in financial trouble, but Rolls-Royce is profitable and has a growing order book. It would seem that it is making these job losses in order to become more efficient. It would also seem from what the Secretary of State is saying that a lot of those who are, sadly, going to lose their jobs have very highly transferable skills. Will he ensure that the local enterprise partnership and neighbouring LEPs have the resources they need to place those highly skilled people in alternative employment?
company has an expanding order book and is continuing to invest in research and development and production will be small comfort, because they will be losing their connection with an employer for which I am sure they have been proud to work over many years. We will do everything that we can to make sure that those employees, whose skills are in demand, are matched with other employers who I hope and intend will be able to make use of their talents and give them a flourishing future career, such as they have enjoyed with Rolls-Royce in the past.

11.42 am

Valerie Vaz (Walsall South) (Lab): May I start by congratulating the Clerk of the House on his knighthood?
Will the Leader of the House please give us the forthcoming business?

The Leader of the House of Commons (Andrea Leadsom): I certainly share the hon. Lady’s pleasure at the award to the Clerk of the House.

The business for next week will include:

Monday 18 June—Consideration of Lords amendments to the Automated and Electric Vehicles Bill, followed by a motion to approve a statutory instrument relating to the draft European Union (Definition of Treaties) (Canada Trade Agreement) Order 2018, followed by a motion to approve European documents relating to EU trade agreements: EU-Japan Economic Partnership Agreement, followed by a general debate on acquired brain injury.

Tuesday 19 June—Opposition day (14th allotted day). There will be a debate on an Opposition motion. Subject to be announced.

Wednesday 20 June—If necessary, consideration of Lords amendments to the European Union (Withdrawal) Bill, followed by a general debate on NATO.

Thursday 21 June—Debate on a motion on the importance of refugee family reunion, followed by a debate on a motion on the future of the Erasmus+ scheme after 2020. The subjects of these debates were determined by the Backbench Business Committee.

Friday 22 June—The House will not be sitting.

The provisional business for the week commencing 25 June will include:

Monday 25 June—Remaining stages of the Haulage Permits and Trailer Registration Bill [Lords].

The shocking and heartbreaking scenes a year ago today at Grenfell Tower will stay with us all forever. That night, 72 lives were tragically lost, and the lives of so many were changed forever. The strength, dignity and determination shown by the survivors and the families of all those affected have been truly inspiring, and I pay tribute to them all.

Our overwhelming priority over the past year, and going forward, is to ensure that the survivors of this terrible event get the homes and the support they need and the truth and justice they deserve. A minute’s silence will be held across the United Kingdom at 12 noon today in remembrance of all those who lost their lives and all others who were affected. We will not forget them.

Mr Speaker: Just before we proceed to questions, I wish to say this: I thank very warmly the shadow Leader of the House and then the Leader of the House for what they said by way of tribute to the Clerk of the House, Sir David Natzler. For those who do not know—many will be aware of this—David joined the House in 1975 and he has served with distinction and without interruption for 43 years, and we look forward to him continuing to serve us. In serving us, he applies his intellect and his energy to facilitate the House and he
[Mr Speaker]
does so with the keenest and most admirable spirit of public service. David, you are much appreciated in this place.

In reference to what the Leader of the House very appositely said about Grenfell, a lot of Members will want to take part in the minute’s silence, and a number of Members will be taking part in commemorative activity much later today.

Valerie Vaz: I thank you, Mr Speaker, for the tribute to Sir David. We are used to using the “Sir” after his name, but now we will have to move it to before.

I thank the Leader of the House for the forthcoming business. I am glad that we are having another Opposition day, and pleased that she thinks the Opposition can fill in the gaps in the business of the House.

I have a gentle reminder to the Leader of the House. She may want to let the House know when we will have an updated draft of the list of ministerial responsibilities, as there has been a change in Home Secretary and another resignation by a Minister. We also have a Foreign Secretary who says that negotiations are in meltdown; that the Government lacks guts; and that he wants the leader of another country to negotiate—that sounds like no confidence in the Prime Minister. We then have a Brexit Secretary who threatened to resign until he got his backstop—I thought we only had backstops in rounders. She may want to keep the list of ministerial responsibilities in draft form.

The Government said that the White Paper sets out their negotiating position, but there is no White Paper. The House of Commons Library has confirmed that no one has any information about the content or the title of the White Paper, except that it will be published after the meeting of the European Council on 28 and 29 June, which therefore means that it will be in July. It is like the emperor’s new clothes: the Government are strutting about saying that we are negotiating, but there is nothing in it. When will the White Paper be published with content?

Will the Leader of the House confirm whether the subcommittees looking at the customs agreement, or a customs partnership, are still meeting? I ask that because there is no White Paper, which therefore means that it will be in July. It is like the emperor’s new clothes: the Government are strutting about saying that we are negotiating, but there is nothing in it. When will the White Paper be published with content?

The Prime Minister said at Prime Minister’s Question Time that the Government have a position and that it needs parliamentary support. That is not the constitutional role of Parliament as I understand it. The previous Prime Minister, David Cameron, understood the role of Parliament. On 29 August 2013, he said with regard to military action that, even without a motion, it was very clear that

“the British Parliament, reflecting the views of the British people, does not want to see British military action. I get that, and the Government will act accordingly.”—[Official Report, 29 August 2013; Vol. 566, c. 1556.]

So Parliament can direct the Government; this is a parliamentary democracy.

What is going on in the rest of the country? This week is Carers Week, and many hon. Members attended the event in the Attlee Suite. There are 6.5 million carers in the UK, saving the economy £132 billion a year. When can we have a debate on the future of social care funding? I congratulate the founders of John’s Campaign, who have been fighting since 2014 for the right of carers to stay with people with dementia. Nicci Gerrard’s father, Dr John Gerrard, had dementia; his family faced restricted visiting hours and he deteriorated. Together with Julia Jones and Francis Wheen, they presented the chief nursing officer for England with a book of pledges by NHS acute trusts that allowed unrestricted visiting hours. It reminds me of the words of Margaret Mead, who said:

“Never doubt that a small group of thoughtful, committed citizens can change the world; indeed, it’s the only thing that ever has.”

They should be congratulated on their personal efforts.

Will the Leader of the House schedule a debate on students? There were 146 student suicides in 2016—the highest number in records going back to 2001. Perhaps she could combine it with a debate on the report on tuition fees by the House of Lords Economic Affairs Committee, which found that the student loan book will grow to over £1 trillion over the next 25 years. Interest rates are set to rise to set to rise to 6.3%, but the Committee has suggested that they should be at the same rate—1.5%—that the Government use when they borrow. The report says that the system of fees and loans is “deeply unfair”. For instance, nurses will pay back £19,000 more than lawyers.

May we have a debate on our early-day motion 1383 that we tabled on 12 June, praying against the Higher Education and Research Act 2017 (Cooperation and Information Sharing) Regulations 2018, which seek to hand over large amounts of student data to various unaccountable organisations?

[That an humble Address be presented to Her Majesty, praying that the Higher Education and Research Act 2017 (Cooperation and Information Sharing) Regulations 2018 (S.I., 2018, No. 607), dated 21 May 2018, a copy of which was laid before this House on 23 May, be annulled.]

As the Leader of the House and you, Mr Speaker, have said, today marks the first anniversary of the Grenfell Tower fire. We remember the 72 people who lost their lives, the survivors and the families.

This Saturday is the second anniversary of the death of our dear friend and colleague Jo Cox. We know that a number of our colleagues in this House are facing threats to their lives, and we stand by them.

As England play Tunisia on Monday, I hope that the House will join me in remembering three generations of Walsall football club fans—Joel Richards aged 19, his uncle Adrian Evans and his grandfather Patrick Evans—who died in the attack in Tunisia three years ago.

On a happier note, there is still time to arrange an EqualiT eas event, to remind us of the journey that women have taken from behind the grille to the Floor of the House.

Andrea Leadsom: I am grateful to the hon. Lady for covering a wide range of subjects.

First, on the list of ministerial responsibilities, it will not be lost on the hon. Lady that her party appears to be dropping Front Benchers like flies. I gather that yesterday’s total was six, which is a great shame, but not only that: there were also 90 rebellions against the Labour Whip. That demonstrates how very unfortunate
the Opposition are on the subject of fulfilling the will of the people in the referendum of June 2016. The hon. Lady will appreciate that Walsall voted overwhelmingly to leave, so the Government may consider whether she is fulfilling the democratic will of the people of Walsall.

I certainly join the hon. Lady in remembering her constituents who died in Tunisia. It was an absolute tragedy. In doing so, at this time of great excitement about football, I wish the England team great success in their adventure.

The hon. Lady asks about the White Paper. The Prime Minister said it all. We will bring forward the White Paper after the June Council. July comes after June; need we say more? The negotiations are well under way. As the hon. Lady will know, it is for the Executive—the Government of the day—to put forward proposals for legislation. It is then for Parliament to amend and, ultimately, approve or reject that legislation. That is how Parliament works. I am surprised that the hon. Lady has any doubt about that.

During Carers Week, I join the hon. Lady in commending all those who do so much to care for friends and family. She also mentioned the appalling issue of student suicides. The situation is utterly unacceptable. She will be aware that the Government are doing everything we can to look at the issue, particularly regarding what more can be done to prevent the harm that is being caused by appalling abuse on social media.

The hon. Lady mentioned threats to colleagues. Mr Speaker, as you and I said on Tuesday in response to a point of order, threats of violence to hon. and right hon. Members across the House are utterly unacceptable and will not be tolerated. I encourage any Members who are experiencing such abuse and threats to go to the parliamentary police service, who will monitor social media and take action where they possibly can to prevent this type of violence against Members.

Finally, the hon. Lady asked when there will be a debate on the Higher Education and Research Act 2017 (Cooperation and Information Sharing) Regulations 2018. She will be aware that, as ever, business is announced for the House about giving sufficient time for debate, and she is aware that those negotiations are well under way. As the hon. Lady will know, it is for the Executive—the Government of the day—to put forward proposals for legislation. It is then for Parliament to amend and, ultimately, approve or reject that legislation. That is how Parliament works. I am surprised that the hon. Lady has any doubt about that.

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Finally, the hon. Lady asked when there will be a debate on the Higher Education and Research Act 2017 (Cooperation and Information Sharing) Regulations 2018. She will be aware that, as ever, business is announced for a Thursday in business questions. We have been doing that for some time, and it is the convention that when the Opposition request a debate through the usual channels with reasonable notice, that debate will be forthcoming.

Sir David Amess (Southend West) (Con): Will my right hon. Friend find time for a debate on illegal encampments? Yet again, so-called Travellers, which they absolutely are not, have turned up in public spaces and parks in Essex and areas such as Southend, causing havoc and at a cost to the council tax payer. I know the consultation is about to finish, but I hope the Government will look very carefully at the recommendation by our right hon. Friend the Member for Rayleigh and Wickford (Mr Francois) to go for the Irish option.

Andrea Leadsom: My hon. Friend raises an issue that is vital to lots of hon. and right hon. Members, particularly at this time of year when the pressure rises because the incidence of illegal encampments rises. He will recall, I am sure, that Members have had the opportunity to discuss this issue in three parliamentary debates in the last year. The Government are very concerned about unauthorised Traveller encampments and their effect on communities, and the consultation, which I hope he has fed into, will remain open until 15 June.

Pete Wishart (Perth and North Perthshire) (SNP): I thank the Leader of the House for announcing the business for next week. I echo her sentiments about the victims of Grenfell, and I congratulate you, Sir David, on your very well-deserved knighthood.

There are weeks when you get a sense that the tectonic plates have shifted and things will never be the same again—and no, I am not referring to Scotland beating England at cricket. The people of Scotland have been observing this place very closely this week. They have seen this Government disrespecting our Parliament and treating its institutions with utter contempt, with 19 minutes to turn the devolution settlement on its head—19 minutes in which no Member of Parliament from Scotland was selected to speak. Those were amendments designed in the unelected House of Lords, and we the Members of Parliament elected by the people of Scotland have had no opportunity to debate them. What sort of democracy is on offer in this House?

I warned the Leader of the House about giving—Interrupting. Mr Speaker, look at the Government Back Benches braying and shouting, just as they did yesterday; it is no wonder the people of Scotland are appalled by their behaviour. I warned the Leader of the House about giving sufficient time for debate, and she singularly refused to listen. She has to take responsibility for what happened the other day. She is in charge of business. I do not want to hear anything about Labour Members taking up the time for votes. Yes, they have the tactical guile of the Foreign Secretary at an ambassador’s ball, but they can vote on what they wish. It was she who designed that programme motion, and it was she who had to make sure that time was protected for debate.

Surely now the time has come for us to stop the practice of going round and round in circles for a headcount vote. Over two-and-a-half hours were wasted standing in cramped Lobbies when we should have been in this Chamber debating important issues to do with the repeal legislation. Nothing could be more useless and counterproductive, and we must end this nonsense. Lastly, the people of Scotland are now watching fully the events here, and more and more of them are saying, “Enough.” If this is the way Westminster treats Scotland, Scotland will make its own decisions about its own future.

Mr Speaker: Order. I am grateful to the hon. Gentleman. I am sure the Leader of the House will want to respond fully to his inquiries, and the opportunity for that will arise shortly. However, it seems to me that it would be seemly for us to prepare for our one-minute silence.

We shall now observe a one-minute silence in respectful memory of those who died in the Grenfell Tower fire a year ago today. I had been intending to invite all present to join us in this commemorative silence, but it has not proved necessary to do so because everybody is so minded.

12 noon

The House observed a minute’s silence.

Mr Speaker: Colleagues, thank you.
Andrew Leadom: In the light of what happened at Grenfell, it hardly seems right to dive straight back into debate. Nevertheless, that is what we must do.

I thank the hon. Member for Perth and North Perthshire (Pete Wishart) for his comments, and I of course accept his right to challenge in every way in this Chamber. I say to him that the Government’s programme motion, which was approved by the House—by 321 votes to 304—provided six hours in total, with three hours for each set of amendments. As you said, Mr Speaker, there was no constitutional or procedural impropriety. It was up to Members, if they did not like the programme motion, to defeat it. There were 11 votes, which took about two hours and 40 minutes, leaving very little time for the devolution amendments the hon. Gentleman mentioned. It was of course a matter for the House to choose to divide on a number of issues that were broadly similar to one another, each of which was won by the Government with a double-digit majority.

The hon. Gentleman talked about the lack of debate in general on the European Union (Withdrawal) Bill. I say to him that, prior to the 12 hours of debate on the Bill this week, Parliament had collectively spent 258 hours debating the Bill, including a total of 15 hours on the subject of devolution, so it is simply not the case that there has been no debate on this matter. Across both Houses, 1,390 amendments have been tabled, of which 1,171 were non-Government amendments. There has been an enormous amount of debate, and there continues to be a huge amount of debate.

On the subject of the Sewel convention, I say to all SNP Members that we have followed the spirit and letter of the devolution settlement at every stage of the process. The devolution settlement itself envisaged situations in which the UK Parliament might be required to legislate without the consent of a devolved Administration. On this issue for the UK, we have sought to work closely with—[Interruption.]

Mr Speaker: Order. This is rather unseemly. To be fair, the hon. Member for Perth and North Perthshire (Pete Wishart) asked a question and the Leader of the House is in the process of answering it, so he should not be conducting a side discussion with some Government Back Bencher. [Interruption.] Somebody says it is “uncouth”. I am always rather gentle and understated, so I would not say that. [Interruption.] Order. The hon. Member for Perth and North Perthshire is still doing it; it is a rather obsessive characteristic of his. Let us hear the reply of the Leader of the House.

Andrew Leadom: The hon. Gentleman did tweet at 10.37 am to ask all his followers to watch the business question, so he obviously had something in store for us.

I would like to finish the point. The Government have tried very hard to reach agreement with all the devolved Administrations. Since the Scottish Government walked away from an agreement, they have offered no new proposals to try to bridge the gap. Their demand for a veto on how the UK internal market operates is just not acceptable, and that was never how devolution was intended to work.

Dame Cheryl Gillan (Chesham and Amersham) (Con): May I associate myself with the remarks about Sir David? It is a welcome recognition of his distinguished service to the House. May I also say what a privilege it was to stand here and mark the deep sorrow we all feel about Grenfell? It sends a wider message to the wider world.

May I ask the Leader of the House for a debate on emissions reductions? If we were to be granted one, it might be helpful for Members to know that the all-party group on electric and automated vehicles, in partnership with AXA, will be demonstrating a pod in the space opposite Old Palace Yard on 20 June—next Wednesday—between 10 o’clock and 4 o’clock. The pod was produced by Westfield Technology Group, a British company, and can show us how to proceed towards the Chancellor’s avowed target of having the first driverless cars on British roads by 2021.

Andrew Leadom: My right hon. Friend is absolutely right to raise such a crucial issue of our time. I am pleased to say that emissions of toxic nitrogen oxides fell by almost 27% between 2010 and 2016. The Government have published a new clean air strategy that aims to cut air pollution and save lives, and of course we are currently passing legislation on automated vehicles that will place us at the forefront of clean driving. I am proud, too, of our commitment to be the first generation to leave the environment in a better state than we found it in.

Ian Mearns (Gateshead) (Lab): The estimates day debates are forthcoming. We believe the dates will be something like 2 and 3 July. Applications for debate slots—there will be four over the two days—should be submitted to the Clerk of the Backbench Business Committee by lunchtime tomorrow. A time-sensitive application has also come in. The Government launched their tobacco control plan on 18 July 2017, and we hope there will be a Backbench Business debate on 19 July to debate its anniversary. That application is sitting with us at the moment.

It would be remiss of me not to mention the Great Exhibition of the North, which launches on 22 June—next Friday—in Newcastle and Gateshead, with the great opening ceremony happening on the Gateshead side of the river. At the moment, however, we have a problem with rail services in the north of England. Many people wanting to get to the venues for the exhibition will have to rely on Northern Rail and TransPennine Express—I hope it stays fine for them—but the services are dreadful at the moment. Last Sunday, I travelled from Newcastle to Southport for a speaking engagement and it took me almost six hours. It can be done in two and half hours by car. We need urgent intervention so that people can actually get to the exhibition.

Andrew Leadom: First, may I say good luck to all those taking part in the Great Exhibition of the North? It sounds like an amazing opportunity for local businesses and the community to come together. The hon. Gentleman will be aware that the Transport Secretary is doing everything possible to sort out the appalling situation with Northern Rail, and he believes and is reporting that the situation is improving. The hon. Gentleman will also be aware that the great north rail project means an investment of more than £1 billion designed to deliver space for 40,000 more passengers and over 2,000 more services a week, but nevertheless there can be no excuses for what has happened in recent weeks,
which has been just appalling. I also heard his bid for a Back-Bench debate on tobacco on 19 July, and I particularly commend the Backbench Business Committee for this afternoon’s very important debate on Windrush.

Stephen Metcalfe (South Basildon and East Thurrock) (Con): Further to the question from my hon. Friend the Member for Southend West (Sir David Amess), and in advance of any future debate, in the light of the end of the consultation tomorrow, will my right hon. Friend encourage the Secretary of State for Housing, Communities and Local Government to come to the House to inform us about what support he has received for the so-called Irish option of making deliberate trespass a criminal offence?

Andrea Leadsom: I know my hon. Friend will have plenty of support from across the House for his suggestion, which originally came from my right hon. Friend the Member for Rayleigh and Wickford (Mr Francois). I am sure the Minister will come to the House in due course, once the consultation is closed, with further ideas on what more can be done. I draw the attention of hon. Members to Housing, Communities and Local Government questions on Monday, where they may wish to raise this issue directly with Ministers.

John Spellar (Warley) (Lab): Six months ago, Carillion went bust and work stopped on the Midland Metropolitan Hospital. It still has not restarted. This week I received a parliamentary answer from a Health Minister turning down a proposal because it involved additional public capital input. Frankly, if Ministers think they will be able to finish this hospital without putting up more cash, they are living in cloud cuckoo land. May we have a debate or a statement from the Health Secretary to tell us when he is going to stop dithering and start building?

Andrea Leadsom: The right hon. Gentleman raises a very specific project. I can absolutely sympathise: we are all keen to see new hospitals and improved hospitals in our constituencies. Health and Social Care questions are next Tuesday, so he may want to raise the issue directly with Ministers then.

Kirstene Hair (Angus) (Con): As my right hon. Friend might be aware, today’s newspapers report that Strathcathro Hospital in my constituency is being considered for closure. That is of great concern to my constituents. Only recently, the Scottish National party Government in Edinburgh closed the mental health unit in Stracathro, which was of great use to my constituents. Can my right hon. Friend confirm that we can debate in this place the importance of keeping health services provided locally and indeed rural services as a whole?

Andrea Leadsom: My hon. Friend, who is a big champion for her constituency, raises another local hospital issue. As she rightly says, this is a matter for the Scottish Government and NHS Tayside. I understand that written assurances were given earlier this year by both the Cabinet Secretary for Health and Sport and NHS Tayside’s chief executive that there was no threat to her hospital. She might like to seek a Westminster Hall debate to discuss this further, or of course there are Health questions next Tuesday.

Melanie Onn (Great Grimsby) (Lab): When does the Leader of the House plan to allow this House to debate the Procedure Committee report into baby leave?

Andrea Leadsom: As I have said on a number of occasions, I am absolutely supportive of the need for new parents to have that essential time to form an early bond with their babies. I am very grateful to the Procedure Committee, which has tried to look at what is quite a significant constitutional change—[Interruption.] As the hon. Lady and other Opposition Members are pointing out, they are themselves members of the Procedure Committee. I am extremely grateful to them for their work on trying to address these issues. They will appreciate that this requires quite a significant constitutional change.

Mr John Hayes (South Holland and The Deepings) (Con): The Leader of the House has previously met my requests for debates on acquired brain injury and on knife crime and encouraged me in my campaign for nuclear test veterans, so mindful of my earlier question on Network Rail felling trees, may I turn her attention to the local authorities that, irrespective of emissions, in Newcastle, Edinburgh and Sheffield are felling thousands of trees, and the Campaign to Protect Rural England tells us that greedy developers are building on land from Howard’s End to Watership Down? Will she ask the Environment Secretary to turn his brilliance, shining a light, on how we can build a sylvan future of hedges and haymaking, forests and fields? I want no less for the next generation—as I know you do, Mr Speaker—than Arcadia.

Mr Speaker: Not for nothing is the right hon. Gentleman regarded as a specialist and perhaps even a rarified delicacy in the House.

Andrea Leadsom: I love the way that my right hon. Friend puts his questions and tempts me to always deliver on his requests, which is a very clever way of approaching business questions. He will appreciate that the Secretary of State for Environment, Food and Rural Affairs is totally committed, as was I when I was doing that job, to improving our environment and to being the first generation that leaves our environment in a better state than we found it in. That means ensuring many millions more trees are planted and that we protect those precious trees, including those that are on Network Rail land. Housing, Communities and Local Government questions are on Monday. He might like to raise his specific point directly with Ministers then.

Marion Fellows (Motherwell and Wishaw) (SNP): Mr Speaker, although I know you did not hear the taunt shouted at my right hon. Friend the Member for Ross, Skye and Lochaber (Ian Blackford) in this place on Tuesday, people in Motherwell and Wishaw did hear the word “suicide” yelled across the Chamber. The families and friends of the far too many young men in and around my constituency who have recently committed suicide were rightly appalled—as am I. My office is
arranging suicide awareness training for local parliamentarians, their staff and local organisations. Will the Leader of the House liaise with the appropriate House authorities to provide such training to all Members?

Andrea Leadsom: I am not aware of the specific circumstances that the hon. Lady raises, but I would say—and I am sure you would say, Mr Speaker—that language in the Chamber is a matter for the Chair. Nevertheless, Mr Speaker and I have both made clear that unacceptable language—threatening, violent and offensive language—should not be used at any time, let alone in the Chamber. What I can say to the hon. Lady is that cross-party a number of us are working on an independent complaints procedure that will change the culture in this place and ensure that all people who work here, regardless of their position and what they do in this place, will be treated with the dignity and respect they deserve.

Mr Speaker: As I think the hon. Member for Motherwell and Wishaw (Marion Fellows) knows—and I respect her sincerity and the force of what she has just said—I indicated earlier in the week that I simply did not hear the term used at the time. However, I emphasised, once it was brought to my attention, that I utterly deprecated it. It is not a term that should be bandied about in the spirit of political polemics. As the hon. Lady says, it is something that touches a lot of people very deeply. I echo what the Leader of the House says: we should weigh our words carefully.

Andrew Selous (South West Bedfordshire) (Con): May we have an urgent debate on the Home Office’s very welcome but seriously overdue commitment to move to a fairer funding formula for the police? Back in 2004, damping was brought in, which means that many police forces such as Bedfordshire received millions of pounds less than the national funding formula says they should get. In Bedfordshire, that equates to 90 police officers. May I ask the Leader of the House to convey to the Prime Minister and the Chancellor, as well as to the Home Secretary, the real anger on this issue of the people of Bedfordshire at the way their police force is underfunded by this unfair issue of damping?

Andrea Leadsom: My hon. Friend raises something in which many Members take a great interest. The Home Office will be looking again at the funding formula in the next spending review to provide all police leaders with the financial certainty they need. Following the 2018-19 settlement, the Bedfordshire police and crime commissioner has announced that she will increase officer numbers by at least 100 over the next two years. I assure my hon. Friend that the Government will listen very carefully to all forces and reflect on all evidence before taking funding decisions.

Diana Johnson (Kingston upon Hull North) (Lab): The Leader of the House will know that we had a fantastic year in Hull as the UK city of culture last year. However, despite a strong police presence in recent weeks, the scourge of individuals who are addicted to the synthetic drug, Spice, and walking round the city centre in a zombie-like state is causing real problems for citizens who want to go about their daily lives shopping there. Today, the BBC is reporting that this negative publicity has resulted in businesses not investing in the city, including Pret A Manger not opening a branch. May we have a debate about what additional enforcement action we need, and also about how the cuts to public health budgets are affecting drug treatment services around the country?

Andrea Leadsom: The hon. Lady always speaks up for Hull, and I am always delighted to congratulate Hull on its success as the city of culture. She raises an incredibly concerning issue that is affecting many communities right across the country—the increased use of psychoactive substances. It is a major problem. Through the serious violence strategy, the Home Office, with police officers, are looking very carefully at what more can be done. All hon. Members will be aware of the recent spike in drug-related crime, which is a very grave issue. The hon. Lady may well want to raise the issue at Home Office questions so that she can discuss it directly with Ministers.

Bob Blackman (Harrow East) (Con): Next Thursday is the International Day of Yoga. We have a series of events for Members, including open-air yoga in Victoria Gardens and yoga in Committee Room 14—and, I believe, in a Committee Room in the House of Lords. You might choose, Mr Speaker, to exercise another sanction on Members who get excited in the Chamber on that day. May we have a debate in Government time on the beneficial aspects of yoga for health and wellbeing?

Andrea Leadsom: I cannot quite imagine the prospect of you, Mr Speaker, requiring hon. Members to stand on one leg, perhaps, or in other yoga positions in the Chamber in response to poor behaviour, but it would be quite amusing and I am sure the public would find it highly entertaining. My hon. Friend raises a very important issue. I know that many people find yoga incredibly relaxing and it is of great benefit to their general wellbeing. He may well want to seek an Adjournment debate so that he can promote it to Ministers.

David Linden (Glasgow East) (SNP): My Easterhouse constituent, Mr Tabogo, is currently in an immigration detention centre near Heathrow airport, with the idea of moving him back to Cameroon where he will face a military court. As a result of his being removed from Scotland, he does not have access to legal aid—a similar position to people in Northern Ireland. May we have a statement in Government time about this absolutely ridiculous situation?

Andrea Leadsom: The hon. Gentleman is raising, as he often does, a concerning constituency matter. I encourage him to take it up directly with Ministers, who seek to ensure that our immigration system is fair to those who want to come here and contribute to this country but is robust in dealing with those who are here illegally. If he wants me to take it up on his behalf, could he please write to me after business questions?

Mr Iain Duncan Smith (Chingford and Woodford Green) (Con): There is a rather arbitrary proposal by the Mayor of London to extend the low-emission zone to the north circular road. Without any exemptions, my
constituents in Chingford will find it very difficult to get to their hospital without having to pay vast sums of money to go back and forth and into local communities. We need to look at exemptions for local travellers. May we have a debate about this?

While we are on the subject of Chingford, with your blessing, Mr Speaker, I want to wish Harry Kane the greatest good luck. He is the greatest striker in the world and happens also to be a Chingford boy, thus one of our own.

Andrea Leadsom: My right hon. Friend raises two very important points. I certainly join him in wishing Harry Kane the best of luck.

My right hon. Friend is right to raise the subject of the Mayor’s plans for low-emission zones in London. I know that there are grave concerns about the Mayor’s tendency to take credit for things that go well and blame central Government when anything is not going his way. It is for him to take action against the appalling air quality in certain parts of London, but it is also for him to facilitate the ability of innocent citizens to go about their daily business, whether for work or to hospital and so on. My right hon. Friend is absolutely right to raise that challenge to the Mayor.

Mr Speaker: As an Arsenal fan, I must say to the right hon. Gentleman that I hugely look forward to Harry Kane deploying his brilliance for England, much more than I ever look forward to him deploying his brilliance for Tottenham. He is a great player and a great representative of our country.

Nic Dakin (Scunthorpe) (Lab): My hon. Friend the Member for Great Grimsby (Melanie Onn) and I have been campaigning for the visa cap on doctors that is affecting recruitment to North Lincolnshire and Goole NHS Foundation Trust to be lifted so that patients needing treatment can get it sooner rather than later. There is speculation that this change is about to happen. Will the Leader of the House confirm that the Government will come to this House shortly and announce that it is taking place?

Andrea Leadsom: The hon. Gentleman raises a very important point. We all want the excellent work of many immigrant medical professionals who come to this country and contribute so much to our NHS to be able to continue. I can assure him that this House will receive that announcement as soon as there is something to announce.

Chris Davies (Brecon and Radnorshire) (Con): This week, Guide Dogs for the Blind has led a very important and effective campaign in Westminster aiming to put an end to the problem of pavement parking and street obstructions. As this affects constituents right across the country, and certainly in Brecon and Radnorshire, may we have a debate on the perils of pavement parking and how we can stop this problem?

Andrea Leadsom: My hon. Friend raises a really important issue. We all know that parking on pavements causes serious problems for pedestrians, and particularly for anybody in a wheelchair, with a pushchair, or with a visual impairment. Local authorities already have powers to prohibit pavement parking by making traffic regulation orders. They can also use bollards to physically protect pavements. The Ministry of Housing, Communities and Local Government is gathering evidence on pavement parking and the effectiveness of the current regulatory frameworks, and it will consider what more can be done.

Chris Stephens (Glasgow South West) (SNP): May I refer the Leader of the House to early-day motion 1397?

That this House congratulates South West Arts and Music Project (SWAMP) Glasgow on its recent award of £91,300 from the Scottish Government Empowering Communities Fund; notes that the organisation is an SQA Approved Centre using accredited outreach in gardening, film, music, digital and technologies, and demonstrates how the creative arts can enable and empower social change; further notes that SWAMP has empowered many young people in the South West of Glasgow and helped them find work, and that creative industry plays a key role in assisting young people into work; and wishes SWAMP continuing success in its new premises in Brockburn Road, Glasgow.

The EDM congratulates South West Arts and Music Project in my constituency on a £91,000 grant from the Scottish Government. May we have a debate in Government time on the creative industries and their importance to the economy, particularly in finding young people employment?

Andrea Leadsom: I think that all right hon. and hon. Members would share the hon. Gentleman’s enthusiasm for the creative industries and the benefits that they give to communities, and particularly to young people in finding work. He has raised the achievement of his community, and I congratulate them on that. We have Department for Digital, Culture, Media and Sport questions next week, and he might want to raise the issue with Ministers directly.

Scott Mann (North Cornwall) (Con): Two and a half years ago, 22-year-old Thomas Demaine was tragically killed in a car accident. His post-mortem revealed that he had an enlarged and dilated heart. He became one of 12 people under the age of 35 who die every week because of undiagnosed cardiac conditions. Before his death, Thomas attended Bodmin College in my constituency. Thomas’s family are now campaigning for young people to have access to free cardiac screening. May I ask for a debate on this issue so that we can bring up the merits of introducing free cardiac screening for young people?

Andrea Leadsom: I am truly sorry to hear such a sad story. I commend my hon. Friend, and also Thomas’s family and friends, for the work that they are doing to highlight this tragic issue. The UK National Screening Committee is looking at the evidence on screening for the major causes of sudden cardiac death in young people. An evidence review document will be developed and will publicly consulted on later this year.

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implement tougher sentences for dangerous drivers. Will the Leader of the House answer a simple question that she failed to answer last week: on what date will this important legislation come into force?

Andrea Leadsom: I congratulate the hon. Lady on her award and pay tribute to all the work she has done to try to prevent dangerous driving from being the scourge that it is. She will appreciate that dangerous driving has been decreasing over many years; we are finding fewer deaths on our roads. I cannot give her a specific date, but if she wants to write to me, I can ask Ministers to provide a response to her directly.

Andrew Bowie (West Aberdeenshire and Kincardine) (Con): My right hon. Friend will be aware that highland games season is now upon us, and from Drumtocht to Aboyne, Lonach, Braemar and Ballater, West Aberdeenshire and Kincardine boasts the best highland games in the country. I invite the Leader of the House to my constituency to attend the games, and will she grant a debate in Government time about the importance of these fantastic events to the economy of north-west Scotland?

Andrea Leadsom: Another outing to the highlands sounds like great fun, and I would be delighted to attend and take part—I am sure there would be some sport I could turn my hand to. I congratulate all those who take part in the fantastic highland games for which Scotland is known throughout the world, and I am sure my hon. Friend will find other opportunities to raise the success of those games in this place.

Hugh Gaffney (Coatbridge, Chryston and Bellshill) (Lab): Will the Leader of the House make a statement on the rising cost of fuel at garage pumps, which is having a big effect on working families?

Andrea Leadsom: The hon. Gentleman will be aware that this Government sought to get rid of the fuel duty escalator that was put in place by the previous Labour Government, in order to save motorists from the rising costs of fuel that were built into the fiscal position that we inherited. We have done everything we can to ensure that people can afford to fill their tanks. This is about a global price, and it is difficult for us to intervene in that, other than through the tax measures we have already introduced. The hon. Gentleman might wish to seek an Adjournment debate so that he can take the matter up directly with Ministers.

Andrew Jones (Harrogate and Knaresborough) (Con): Knaresborough in my constituency contains a specific clutch of shops that have been empty for years or even decades, impacting on the attractiveness of the high street. Persuading the owners to bring those shops back into use is difficult because they are listed buildings and incur no business rates as long as they are empty—they are simply decaying. May we have a debate to explore how to use the business rate system to incentivise or even compel shop owners to bring long-term empty units, particularly listed buildings, back into use promptly? I recognise that that could include a change of use.

Andrea Leadsom: I totally sympathise with my hon. Friend, and it is a huge shame to see shops standing empty on our high streets. Owners of empty shops normally pay rates when those shops have been vacant for three months, which provides a clear incentive for owners to bring those shops back into use quickly. However, in recognition of the particular challenges faced by owners of listed buildings, currently no rates are payable on empty listed buildings. I strongly encourage my hon. Friend to raise this important issue directly during questions to Housing, Communities and Local Government Ministers on Monday.

Mike Kane (Wythenshawe and Sale East) (Lab): As the home of Manchester airport, my constituency is one of the most visited in the north of England. However, many of my constituents suffer the menace of unlicensed airport parking operators who use the streets outside their homes. Will the Government provide a statement on the measures they are taking to tackle rogue meet-and-greet airport parking companies?

Andrea Leadsom: That genuinely sounds like an appalling issue, although I was not aware of it previously. I can well imagine that if someone hands over their car in good faith while they go on holiday, and they get it back vandalised or damaged in some way, or illegally parked, that is pretty horrible. I encourage the hon. Gentleman to seek an Adjournment debate so that he can take the issue up with Ministers and see what more can be done.

Tom Pursglove (Corby) (Con): In Corby in east Northamptonshire a number of unwanted, controversial planning applications are in the system, despite the fact that housing targets have been more than exceeded, which has been tested by an appeal. I am therefore debuting that is pretty horrible. I encourage the hon. Gentleman to seek an Adjournment debate so that he can take the issue up with Ministers and see what more can be done.

Andrea Leadsom: My hon. Friend will be aware that the Government have made every effort to ensure that local views are heard through local planning frameworks. They have sought to put power into the hands of local people, defend the green belt, and ensure that although building more houses is a top priority, local wishes should be taken into account. Questions to the Ministry of Housing, Communities and Local Government are on Monday, and I encourage my hon. Friend to raise the issue then.

Grahame Morris (Easington) (Lab): The country is becoming gripped by World cup fever, but I confess I have mixed loyalties, having drawn both Mexico and England in different sweeps. May we have a debate on the role of the Football Association in encouraging grassroots and women’s football? There has been a perversive decision to demote Sunderland Ladies football club by two divisions. That decision was based on results or league position, but on financial criteria, which is a retrograde step in encouraging the game.

Andrea Leadsom: The hon. Gentleman will realise that the Under-Secretary of State for Digital, Culture, Media and Sport, my hon. Friend the Member for Chatham and Aylesford (Tracey Crouch), is a keen footballer and would no doubt be delighted to hear from him directly. In this time of World cup football fever, he might like to raise that issue with the Backbench Business Committee and seek a debate that all hon. Members can join in.
Martin Vickers (Cleethorpes) (Con): Figures from the Office for National Statistics show that in the past three months, 48,000 adults in northern Lincolnshire have not accessed the internet. With more and more public services becoming available only online, it is essential that people have that access. May we have a debate so that the Government can outline their policies to ensure that people have both access to the internet and the necessary skills?

Andrea Leadsom: My hon. Friend rightly raises an important constituency issue, and we must ensure that provision and training are provided to people so that they can use the internet and take advantage of its enormous benefits. He will be aware that we are investing in science, technology, engineering and maths in schools, including through £844 million over the next five years for a comprehensive programme to improve teaching and participation in computer science. Questions to the Department for Digital, Culture, Media and Sport are next week, and he might want to raise the backlog of training and education with Ministers.

Joanna Cherry (Edinburgh South West) (SNP): As the hon. Member for Scunthorpe (Nic Dakin) has already alluded to, the new Home Secretary appears to be making a series of piecemeal announcements outwith the confines of this House, indicating a degree of tinkering around the edges of the Prime Minister’s toxic immigration policies. When will he come to the House to make a statement about his long-term immigration policies, and when will we get the chance to debate those policies properly?

Andrea Leadsom: I entirely reject what the hon. and learned Lady says about my right hon. Friend the Home Secretary. He is showing absolute commitment to a fair immigration policy that welcomes those who come here legally to contribute to our economy, while at the same time being strict with those who are here illegally. That is what the people of the United Kingdom want. Since becoming Home Secretary he has come before the House on several occasions, and he will continue to do so.

Jeremy Lefroy (Stafford) (Con): I associate myself with your comments, Mr Speaker, and those of the Leader of the House about the behavour of the Scottish nationalists. I respect the hon. Gentleman’s view that he would like to see electronic voting in this place, and I assure him that it is something that the House keeps under review, but it is not a priority for now. When it comes to talking about stunts and embarrassments, perhaps he would like to comment on what the hon. Member for Westmorland and Lonsdale (Tim Farron) said in response to the hon. Gentleman’s colleagues’ stunt at Prime Minister’s questions yesterday—he said that they responded appallingly and tried to disrupt the proceedings of this House in a very unfortunate and disrespectful way. I find myself agreeing with a Liberal Democrat about the behaviour of the Scottish nationalists—[Interruption.] I have answered the question, and the Scottish nationalists should consider their own behaviour in this place.
Chris Elmore (Ogmore) (Lab): A constituent of mine, due to errors admitted by the Department for Work and Pensions, recently had her tax credit stopped, and has now had her child benefit stopped. That is having a huge financial impact on the family. Will the Leader of the House find Government time for a debate on DWP errors and how they are having a real impact on families up and down the UK?

Andrea Leadsom: The hon. Gentleman raises a very important constituency issue, and it is absolutely right that Members do that in this place. I urge him to take it up directly with Ministers in the DWP, who will be pleased to look at it.

Stewart Malcolm McDonald (Glasgow South) (SNP): May we have a debate on the legacy of Charles Stewart Parnell? He, of course, along with his colleagues at the time, successfully used the Standing Orders of the House to frustrate Government business, which is an entirely legitimate tactic, to force them to take Irish issues seriously, including in a 45-hour sitting on the 1877 South Africa Bill. Given the way that Ireland has this Government over a barrel at the minute, it might just be that those tactics are of interest to hon. Members at the present time.

Andrea Leadsom: I recognise that the hon. Gentleman and some of his colleagues are unhappy about procedures in this House in recent days. What I would say to him is that there has absolutely been adherence to all Standing Orders, procedural conventions and rules on Divisions of the House, and there has absolutely been nothing untoward going on. There is not the need for a debate—[Interruption.] It is entirely disrespectful that—[Interruption.]

Mr Speaker: Order. We have to try to re-establish some semblance of exchange. The hon. Gentleman asked a robust question, and I do not think anybody objects to that, but he should then listen to the reply, and to heckle the Leader of the House noisily as she replies is discourteous.

Andrea Leadsom: Thank you, Mr Speaker. There is no point saying anything further to the hon. Gentleman.

Chris Law (Dundee West) (SNP): As we have seen on our television screens last night and in the papers this morning, the Saudi-led coalition bombardment of Hodeidah has begun, despite all the discussions and talks behind the scenes. It is a war, of course, that the UK has personnel, arms and intelligence involved in and which will lead to what the UN estimates at a quarter of a million lives being lost, with 6 million people entering into famine. May we have an urgent statement from the Foreign Secretary as early as possible in this Chamber, and subsequently an urgent debate on this very topical matter?

Andrea Leadsom: The hon. Gentleman raises a very serious issue. He will recall that we had an urgent question earlier this week, when a Minister came to this House. When the Prime Minister spoke to President Trump about the matter, they agreed that there is an enduring requirement for a political resolution to the conflict and cautioned against any action that might increase the severe humanitarian suffering in Yemen. We remain deeply concerned by the increasingly grave and distressing situation there.

What the UK Government have done is as follows: on 3 April, we announced an additional £170 million in response to the humanitarian crisis in Yemen, which will meet the immediate food needs of 2.5 million Yemenis, coming on top of the £400 million in bilateral support since the conflict began in 2015. We want to continue to work with the UN to ensure that any civilian impact of this conflict is minimised.

Mrs Madeleine Moon (Bridgend) (Lab): My constituents who work at MOD St Athan RAF School of Technical Training are concerned that little action is being taken to renew the lease. Their concerns are not only about job losses, but about defence security should the lease revert to the ownership of the Welsh Assembly Government, who obviously cannot provide the same level of security. May we have a statement from the MOD, please, about what steps the Defence Infrastructure Organisation or the defence school of technical training is taking in relation to the lease?

Andrea Leadsom: I am grateful to the hon. Lady for her question; it is obviously very specific to her constituency. The Under-Secretary of State for Wales, my hon. Friend the Member for Pudsey (Stuart Andrew), who is with me on the Front Bench, is happy to take that up in the Wales Office to help her.

Patrick Grady (Glasgow North) (SNP): I join the congratulations to the Clerk of the House and thank him and his team for his professionalism and advice over the last few days, and particularly the Division Clerks, because they have been working three-hour shifts in a row.

I want to echo the question from my hon. Friend the Member for Edinburgh East (Tommy Sheppard). The voting system in this place is not just archaic; it is unsafe. There are Members who are on crutches, Members who are pregnant and Members who are waiting on medical procedures being forced into small, locked, crowded, hot rooms for a ridiculous headcount that has undermined the procedures of this House and the opportunity for Members to debate. It has to be reformed. It has to be a priority.

Andrea Leadsom: I note what the hon. Gentleman says. I do not think it can be counted as a small and confined place; nevertheless, it is a matter for the House as to the number of times it chooses to divide. We have seen an exceptional number of votes this week, but I respect his view and will always take into account the views of all Members across the House.

Ian Murray (Edinburgh South) (Lab): When Royal Mail was a public company, we used to be able to question Ministers and FOI the company on its performance with regards to delivery times, the number of post boxes and its overall performance in delivering our mail. This is a national institution, but we now cannot do that. Could we have an urgent debate or statement on how we can continue to put freedom of information requests to companies that have been recently privatised?
Andrea Leadsom: I hope the hon. Gentleman is aware that there is a Minister for Royal Mail, so there is somebody to whom he can put questions. The rules around freedom of information apply right across the United Kingdom, and he will be aware of the fact that he is able to put freedom of information requests to many businesses and public sector organisations.

Dr David Drew (Stroud) (Lab/Co-op): I was out of this place for a few years and many things have improved, but one of the things that has not is the standard of IT receptivity and accessibility. I know that this is not the Leader of the House’s responsibility, but will she talk to the House authorities to try to get a decent IT system in this place once and for all?

Andrea Leadsom: I think there will be a great deal of sympathy on both sides of the House for the hon. Gentleman’s view. What I can tell him is that approval has been obtained from the Administration Committee for a “refresh of hardware”—it says here—for returning MPs, to start in October. That could be exciting news, but we must wait with bated breath.

Gavin Newlands (Paisley and Renfrewshire North) (SNP): Yesterday the indefatigable Effie McGachie, the president of Renfrew Community Council—of which I am a former member—announced her retirement after 36 years’ service, 32 of them as chair. Will the Leader of the House join me in thanking Effie for her service to the town and wishing her well in her retirement, and will she schedule a debate on community councils so that we can reflect their importance in constituencies throughout the United Kingdom?

Andrea Leadsom: I join the hon. Gentleman in congratulating his constituent on all those years of service. He may wish to seek an Adjournment or Westminster Hall debate so that all Members can congratulate all those who do so much in our communities.

Mr Paul Sweeney (Glasgow North East) (Lab/Co-op): My constituent Duc Nguyen was on the brink of deportation to Vietnam yesterday. It took the quick action of my office and others to prevent that from happening. It is unacceptable that a deportation attempt was made without sufficient solicitor and MP involvement, especially given evidence that Duc was a victim of human trafficking and would face a threat to his life if he were deported. May we have a debate in Government time on the deportation process in cases of suspected human trafficking?

Andrea Leadsom: It sounds as though the hon. Gentleman did a superb job in representing his constituent, and I congratulate him on that. He has raised a very important point, which is a constituency matter. As ever, when Members want to raise an important visa issue, they have the means to do so directly with Ministers, or through the MPs’ hotline, to try to deliver the best possible response to their constituents. If the hon. Gentleman wants to take up a particular issue, I suggest that he seek an Adjournment debate.

Alison Thewliss (Glasgow Central) (SNP): I recently visited the InS.PIRE project, which is a partnership between different disciplines in the national health service and Citizens Advice. It is based at Glasgow University, and supports intensive care patients and their families. There is an issue with recognition of post-intensive care syndrome in the social security system, especially when it comes to employment and support allowance. May we have a debate about that, in Government time?

Andrea Leadsom: The hon. Lady has raised an important public health issue, as she often does. I encourage her to raise it directly during Health questions next week.

Peter Grant (Glenrothes) (SNP): A major healthcare provider in my constituency recently had to terminate the contracts of two dedicated, skilled professional members of staff because the UK Government had refused to grant them tier 2 visas so they could continue to work here. If they had wanted to work in London, their salaries would have been high enough and they would have been allowed to stay. Their dedication to returning to work in Fife is shown by the fact that they are both continuing to run up significant expenses to keep their homes in my constituency. May we have a debate in Government time so that the Secretary of State for the Home Department can be made fully aware of the direct impact of his Government’s policies on the health of my constituents?

Andrea Leadsom: I think we would all want to pay tribute to the many people who have come from other countries to work in our health service, and who have done so much to support the health of the population of the United Kingdom. As the hon. Gentleman will know, discussions are under way about the issue of visas for immigrant healthcare workers, and I am sure that his right hon. Friend the Home Secretary will update the House as soon as he is able to do so.

Patricia Gibson (North Ayrshire and Arran) (SNP): Will the Leader of the House consent to a debate on political party membership? She will be aware that it is a significant barometer of political engagement throughout the United Kingdom. It would be a timely debate for Scottish National party Members, because yesterday we enjoyed the new membership of 5,085 Scottish people.

Andrea Leadsom: I can only say that I personally found it a great shame that the Westminster leader of the Scottish nationalists lost his opportunity to vote yesterday, and, moreover, lost his opportunity to propose an urgent debate. Many of the hon. Lady’s colleagues also missed their opportunities to put questions to the Prime Minister. The hon. Lady may feel that that was a good trade, but many people in Scotland will feel that their representatives at Westminster should be representing their interests in this place.

Alan Brown (Kilmarnock and Loudoun) (SNP): On Saturday I visited my local branch of the Samaritans, and I pay tribute to the good work that they do in helping people in times of trouble.

Andrea Leadsom: It is disgusting at the hon. Member for Bridgwater and West

Andrea Leadsom: I have been at the funeral of the son of one of my best friends, who committed suicide. I have been at the funeral of one of my early childhood friends, who committed suicide. My office recently had to help a constituent to get his son sectioned for his own safety because he was suicidal. I too want to put on record my disgust at the hon. Member for Bridgwater and West
Somerset (Mr Liddell-Grainger) for shouting that suicide was an option for the Westminster leader of the SNP to consider. That was completely out of order. Will the Leader of the House make a statement about what is being done to educate Members in relation to their behaviour, and will she acknowledge that a complaints procedure in itself is not enough to change the behaviour of some people?

Andrea Leadsom: Let me first join the hon. Gentleman in commending the Samaritans for the amazing work that they do. Let me also convey my real sympathy and commiserations in respect of the awful suicides that are taking place throughout the country, and the two that he specifically mentioned. It is an appalling scourge. We are seeing an increase in the number of suicides, particularly among young men. I think we have already made it clear that all Members should be very careful in their use of language in order not to offend or upset those who are listening to us, but I also think we should all do everything possible to try to improve the work done in communities and in our mental health services to improve the mental wellbeing of young people.

European Union (Withdrawal) Bill: Sewel Convention

12.56 pm

The Secretary of State for Scotland (David Mundell): With your permission, Mr Speaker, I shall make a statement on the operation of the Sewel convention and its application to the European Union (Withdrawal) Bill in relation to Scotland. These are serious times and serious issues. I have come to the House today with respect and ready for constructive debate, and I hope that that is the spirit in all parts of the House.

In 1998, Lord Sewel set out a commitment that there should be a parliamentary convention to recognise that when the UK Parliament legislated in a devolved area, it “would not normally legislate...without the consent of the Scottish parliament”.—[Official Report, House of Lords, 21 July 1998; Vol. 592, c. 791.]

Throughout the passage of the European Union (Withdrawal) Bill, the Government have demonstrated their commitment to the Sewel convention and the principles that underpin our constitution. We have followed the spirit and letter of the devolution settlement at every stage.

The Bill is about ensuring that the whole of the United Kingdom has a functioning statute book on exit day, and about providing legal certainty for businesses and individuals throughout the country. From the outset, we have been clear about the fact that as a result of the UK’s exit, we would expect to see a significant increase in the decision-making powers of the devolved institutions. We have been clear about the fact that exit would provide an opportunity to bring powers home from Brussels, not just to the UK Parliament but to all the legislatures of the United Kingdom. We must remember that the powers in question were handed to the European Union through our membership in 1972, long before devolution existed in Scotland. Exit was neither anticipated nor provided for in the Scotland Act 1998 and the structure of the devolution settlement. So it is clearly fair to say—as Mike Russell, the Scottish Government’s own Brexit Minister, has said—that “these are not normal times”.

Nevertheless, we have sought to respect the devolution settlements at every turn, and have recognised the strength of feeling across this House, as well as within the devolved Administrations, that the original measures in the Bill did not meet aspirations. No one could deny that the Government have come a long way from that original position. Discussions have been conducted at multilateral level through the Joint Ministerial Committee (European Negotiation) and the Joint Ministerial Committee (Plenary), chaired by the Prime Minister, and bilaterally between Administrations, and with extensive official-level engagement, and we have made significant changes to the Bill.

Those changes enabled the Welsh Labour Government to support the agreement, and gained the approval of both the other place and this House, and those changes have turned the original clause on its head. Now, all decision-making powers returning from the EU that intersect with devolved competence will pass directly to Cardiff, Edinburgh and Belfast unless explicit steps are taken to temporarily preserve an existing EU framework.
European Union (Withdrawal) Bill: Sewel Convention

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The inter-governmental agreement underpinning the new clause set out how those steps should be taken, with an emphasis on collaboration and agreement. Together, this means we are emphatically delivering on our commitment to give significant further powers to the Scottish Parliament.

The new clause also provides that in certain, limited cases the current arrangements we have under the EU will remain until we have implemented our new UK-wide frameworks. I want to stress that we have already agreed with the Scottish and Welsh Governments where this temporary preservation needs to be considered; the Governments are agreed that “freezing” is likely in just 24 of the 153 areas of powers returning to the UK from the EU. And to anyone who has sought to present this as seeking to take back powers from the Scottish Parliament, I repeat here that this Bill includes a specific provision that makes it clear explicitly that no decision-making powers currently exercised by the Scottish Parliament can be taken away.

These amendments strike the right balance between ensuring that exit results in increased decision-making powers for the devolved legislatures while continuing to provide certainty about how our laws will operate and protect our UK internal market, a market so vital to Scotland’s businesses. They do not, and cannot, go as far as the Scottish Government want, because the Scottish Government want a veto over arrangements that will apply to the whole of the UK. But as Lord Wallace, the former Deputy First Minister of Scotland, set out when the Bill was being debated in the other place, this was not part of the original devolution settlement.

Our approach also helps to ensure the continued integrity of the UK market, which is so vital to the people and businesses of Scotland. At every stage, the SNP has disregarded the need to preserve this market and to ensure that there are no new barriers to working or doing business in the UK. The UK internal market is worth over four times more to businesses in Scotland and to ensure that there are no new barriers to working or doing business in the UK. The UK internal market is worth over four times more to businesses in Scotland than EU trade, and we must make sure that it is preserved as we leave the EU.

We have reached a point now where, as the Welsh Labour Government have clearly stated, these arrangements reflect and respect how the devolution settlements operate. The devolved legislatures will have a formal role in considering where existing frameworks need to be temporarily preserved. That is what we have delivered. However, Scotland has two democratically elected Parliaments, and it is only this Parliament, the UK Parliament, that can speak for the UK as a whole.

It is deeply regrettable that Nicola Sturgeon’s SNP Scottish Government were unable to sign up to the compromise solution brokered by officials from all the Administrations working together. But, as we all know, we can only reach agreement in a negotiation if both sides actually want to reach agreement. The Scottish Government’s position from the outset was that they would be content with nothing less than a veto. However, such an unreasonable position would fundamentally undermine the integrity of the UK internal market. That would harm business in Scotland and the rest of the UK. Despite the numerous attempts to find compromise, and the fact that one was reached with the Welsh Labour Government, the SNP position has not changed. As a result, this Government, who represent the whole of the UK, could not responsibly accept its position.

We are now therefore faced with the reality that the Scottish Parliament has not given consent for this critically important legislation that provides certainty across the UK. That is not a situation that any of us would have chosen. It is not, however, a crisis, nor is it unforeseen. While the devolution settlements did not predict EU exit, they did explicitly provide that in situations of disagreement the UK Parliament may be required to legislate without the consent of devolved legislatures.

In any situation, agreement is our aim, and we will continue to seek legislative consent, take on board views and work with the Scottish Government on future legislation, just as we always have done. We on this side of the House have compromised. We have made every effort to reach agreement. We have sought consent. Now we are legislating in line with the Sewel convention to ensure the whole of the United Kingdom leaves the EU with as much legal certainty as possible. That is what people and businesses in Scotland need.

1.5 pm

Mr Paul Sweeney (Glasgow North East) (Lab/Co-op): I thank the Secretary of State for advance sight of his statement.

On Tuesday, we had a situation where the Secretary of State for Scotland allowed his Government to ride roughshod over the wishes of the Scottish Parliament within the space of around 20 minutes. From where I stand, the Secretary of State has done nothing about the programme motion that we opposed, meaning that he was entirely complicit in the sham we all witnessed on Tuesday night meaning that Scottish, Welsh and Northern Irish Members were entirely shut out of the debate.

The Labour party opposed this week’s programme motion for a whole host of reasons, one of which was the lack of time to discuss devolution. The Labour party forced the Government to have two days of debate on the withdrawal Bill, rather than the original 12 hours. In stark contrast, the Secretary of State voted for the programme motion and voted for Scotland’s voice to be silenced. And to blame this on the Opposition for voting on the Lords amendments is as ludicrous as it is misleading.

What happened this week is completely and utterly unacceptable. We have seen shabby and deplorable antics from the Tories when it comes to the time allowed for debate, and we have seen counterproductive antics from the SNP yesterday that further curtailed debate. The people of Scotland deserve better, and they simply want this mess fixed by the politicians they sent here to stand up for them before this shambles ends up in court.

As John Smith said back when he was creating the Scottish Parliament, there are two people sawing away at the legs that support the Union: one is the Scottish National party, which of course wants to destroy the unity that is the United Kingdom, but the other is the reckless Conservative party, which stubbornly clings to an unsustainable position and refuses to even debate, never mind seek any compromise or consensus, on these most critical matters that the future of our nation relies upon.
[Mr Paul Sweeney]

The Secretary of State was responsible for taking the Scotland Act 2016 through this place, he was responsible for inserting the Sewel convention into the legislation, and now he is the person responsible for trampling all over that convention that underpins the devolution settlement. The Labour party tabled amendments to clause 11 of the withdrawal Bill at every stage. The Secretary of State and his colleagues voted them down every time. These amendments would have ensured that the Joint Ministerial Committee had to report to this place and to publish the minutes of its meetings. That would have allowed people in Scotland to see exactly what has been going on behind closed doors. The Secretary of State voted that down. We proposed amendments that would have ensured that any common UK frameworks—frameworks that his Government seem to value so much—would not be forced upon the Scottish Parliament. The Secretary of State voted that down. We proposed amendments that would have ensured that the Scottish Parliament had to give its consent unless the matter related to international obligations, which the Secretary of State will know is entirely in line with the Scotland Act. Yet rather than allow us to even just debate that amendment, the Secretary of State allowed Scotland’s voice to be shut out of the debate entirely.

The Secretary of State promised that he would fix the mess that his Government created, yet he has done absolutely nothing: he is Scotland’s invisible man in the Cabinet. The leader of Scottish Labour and the shadow Secretary of State have both written repeatedly to the deputy Prime Minister asking for cross-party talks to find a solution. So far, those requests have been denied. One really does have to wonder whether the UK Government and the Scottish Government actually have any intention whatsoever of sorting this out for the people of Scotland. So I ask the Secretary of State: will the Secretary of State will know is entirely in line with the Scotland Act. Yet rather than allow us to even just debate that amendment, the Secretary of State allowed Scotland’s voice to be shut out of the debate entirely.

Clause 22 of the EU withdrawal Bill allows for consequential amendments to be made, where it is appropriate. Has the Secretary of State explored that clause 11 of the withdrawal Bill at every stage. The Secretary of State and his colleagues voted them down every time. These amendments would have ensured that the Joint Ministerial Committee had to report to this place and to publish the minutes of its meetings. That would have allowed people in Scotland to see exactly what has been going on behind closed doors. The Secretary of State voted that down. We proposed amendments that would have ensured that any common UK frameworks—frameworks that his Government seem to value so much—would not be forced upon the Scottish Parliament. The Secretary of State voted that down. We proposed amendments that would have ensured that the Scottish Parliament had to give its consent unless the matter related to international obligations, which the Secretary of State will know is entirely in line with the Scotland Act. Yet rather than allow us to even just debate that amendment, the Secretary of State allowed Scotland’s voice to be shut out of the debate entirely.

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legislate. This is an extremely serious development in UK Government thinking, and it risks the security of the devolution settlement. It also gives the lie to the assertion in the statement that the UK Government are "legislating in line with the Sewel convention".

By their own admission in this statement, they are doing the opposite. Perhaps the Secretary of State can give us some clarity on what is happening here.

The Sewel convention is clear that the UK Government should not legislate on devolved matters without the consent of the Scottish Parliament. However, the Scottish Parliament—not the Scottish Government—has denied its consent. The Scottish National party, the Labour party, the Liberal Democrats and the Greens all said that they did not give their consent to what the UK Government were seeking to do, yet the Secretary of State comes before us today with excuses and attempts to save his own skin, knowing that he has totally shafted Scotland and the people of Scotland. Empty excuses are clearly all he has, having utterly failed in his role as Secretary of State to protect our devolution settlement or to stand up for Scotland as he should be doing.

The Secretary of State promised that Scotland’s Parliament would become the most powerful devolved Parliament in the world. Wrong. He promised us, in the Commons stages, that when the Bill came back from the Lords, there would be time to debate clause 11. Wrong. He told us that there would be a powers bonanza for the Scottish Parliament. [HON. MEMBERS: "Wrong!" ]

Even in June 2016, he pledged to protect Scotland’s place in the single market. [HON. MEMBERS: "Wrong!" ]

The Secretary of State has—[Laughter.]

Mr Speaker: Order. The right hon. Member for Ross, Skye and Lochaber (Ian Blackford) must be able to complete his contribution—

Sir Desmond Swayne (New Forest West) (Con): Really?

Mr Speaker: Yes, really! [Interruption. ] Order. What was that? Somebody chuntered from a sedentary position.

Joanna Cherry (Edinburgh South West) (SNP): Surely not!

Mr Speaker: Surely not? Well, no—the right hon. Gentleman will be enabled to continue his contribution.

Ian Blackford: I would simply say to Conservative Members that the UK Government’s own analysis has indicated that a hard Brexit will damage jobs, yet what do we see? We see Conservative Members of Parliament laughing. They are laughing at the hardships that the people of Scotland might face.

The Secretary of State for Scotland downgraded devolution, ignored the Scottish Parliament and silenced Scotland when he supported the withdrawal Bill despite our Parliament—his Parliament—having rejected it. Will he now apologise to the people of Scotland for his series of broken promises? He has failed to protect devolution, he has failed to protect the Scottish Parliament and he has failed to protect Scottish interests. Having plunged Scotland into constitutional crisis, will he finally do the right thing by the Scottish people? If he has any dignity and self-respect, will he resign, and do it now? [Applause.]

Mr Speaker: Order. Members must not become over-excited. We have a long way to go. There is a lot still to be done, and there are lots of questions to be asked. There is lots of debate to be had and lots of fun to be savoured—in a seemly manner, I feel sure.

David Mundell: After yesterday, I am not taking any lessons from the right hon. Gentleman on dignity. However, we have at least had some clarification on what guerrilla tactics are going to be used in this Parliament, including chanting in line with what he says. I actually respect the fact that he opposes Brexit. He is perfectly entitled to do that, but he is not entitled to ignore the views of the more than 1 million people in Scotland who voted for Brexit but who the SNP want to airbrush out of history. Nor is he entitled to ignore the result of the referendum across the United Kingdom as a whole. It is therefore incumbent on this Government to deliver Brexit, and that is what we will do.

I hope that the right hon. Gentleman was not wilfully misinterpreting the Sewel convention, because the convention is not absolute. He set it out as though it were, but it is not. As I said in my statement, the Government will seek consent unless normal circumstances do not apply, and anyone would accept that the UK leaving the EU is not normal circumstances.

Sir Desmond Swayne: Which power is my right hon. Friend planning to take away from the Scottish Government and Parliament?

David Mundell: That is an excellent question, because I have twice heard the right hon. Member for Ross, Skye and Lochaber (Ian Blackford) say that powers will be stripped from the Scottish Parliament. However, not one power that the Scottish Parliament currently exercises will be stripped. Over 80 new powers and responsibilities are coming to Holyrood and, yes, I call that a “powers bonanza.”

Ian Murray (Edinburgh South) (Lab): I thank the Secretary of State for taking up my invitation in my point of order yesterday to make a statement to the House today. I want to ask him a serious question to try to take some of the heat out of the bluff and bluster from both sides of the House. As I understand it, the Scottish Brexit Secretary signed off or agreed with the proposals during meetings, but they were then vetoed by the First Minister. That suggests to me that a deal could be done and that compromises could be made by both sides. Will the Secretary of State now do everything in his power to get all sides back around the table to find the distance that they can go between compromise and getting a deal?

David Mundell: I welcome the hon. Gentleman’s acknowledgement of the statement, which was the right thing to do given that the opportunity to have a debate today had been declined by the leader of the SNP following yesterday’s stunt. I am still committed to getting agreement, and I welcome the recent interventions of Professor Jim Gallagher and Gordon Brown, who were genuinely looking for a settlement. We reached out to Michael Russell to see whether he was willing to engage with that process, but I am afraid that the clear message was that the Scottish Government’s position is as it was the last time we spoke and is as it was a year
[David Mundell]

...ago and that there is no scope for compromise. I am always willing to talk, and if there is any prospect of getting an agreement with the Scottish Government, I am open to doing so.

Kirstene Hair (Angus) (Con): The only people who were silenced yesterday were the people of Perth and North Perthshire, Dundee West, Lanark and Hamilton East, Argyll and Bute, and Glasgow Central, because their elected representatives walked out on the opportunity to question the Prime Minister. I have been here only for a year, but I know there are many ways of representing our constituents in this privileged role of public office, and they happen in this Chamber, not outside for the TV cameras—[Interruption.]

Mr Speaker: Order. I said a moment ago when there was some chuntering from a sedentary position that the leader of the SNP must be heard, and the same applies in respect of the hon. Lady. Her question must be heard. There must not be an attempt to shout her down, and if there is such an attempt, it will fail—period.

Kirstene Hair: Will my right hon. Friend confirm that, no matter how many hours the SNP were given to debate or how many powers were given back, an agreement would never be reached, because an agreement would damage the SNP’s crusade for independence? It is always self-interest, never the interests of Scotland.

David Mundell: We can reach an agreement only with people who want to reach an agreement, and it is clear that Nicola Sturgeon and the SNP have a different interpretation of the current constitution from everyone else. It is also abundantly clear from the weekend and from many of the SNP group’s antics that all they really want is to replace the existing devolution settlement with independence.

Pete Wishart (Perth and North Perthshire) (SNP): There was really only one thing that we needed to hear from the Secretary of State today—I say this as someone who is fond of the right hon. Gentleman—and that was his resignation. He has presided over this crisis with an ineptness rarely demonstrated on something that required a delicate touch and real negotiating skill, and he has a litany of failed commitments and broken promises. He will be remembered as the Secretary of State who first reversed devolution. He has let our Parliament down, and he has let democracy down. For goodness’ sake, man, just go.

David Mundell: That was an uncharacteristically quiet performance from the hon. Gentleman. I presume that it was aimed at achieving gravitas, but I will leave others to speculate as to whether he succeeded. I have not changed the devolution settlement, and the devolution settlement has not changed. The settlement, as achieved in 1998, was clear on the Sewel convention, and we are abiding by it.

David Duguid (Banff and Buchan) (Con): Does my right hon. Friend agree that the people of Scotland want, expect and deserve their two Governments to work together constructively in the country’s best interests?

David Mundell: Does he share my deep concern about SNP Ministers’ threats of non-co-operation? Does he also agree that the SNP will not be forgiven if it turns its back on its parliamentary responsibilities simply to pursue the campaign for independence?

David Mundell: Absolutely. It is abundantly clear from research and opinion surveys that the people of Scotland want their two Governments to work together constructively to deliver the best possible deal for Scotland and the rest of the UK as we leave the EU. I take seriously some of the comments that have come from Scottish Ministers about withdrawing from co-operation with the UK Government, but I hope that they have just been caught up in the excitement that SNP Members generated in the media yesterday and that, when cool heads prevail, they will come back to the view that it is best for the two Governments to work together.

Hilary Benn (Leeds Central) (Lab): I suspect that, on reflection, the Secretary of State would now accept that it was a profound mistake to structure the programme motion in such a way that there was no time to discuss these important matters, which have been the subject of long debate. I hope that the Government will go away and reflect on that.

Having said that, what prospects are there for discussions on the common frameworks, which are the source of the argument, given that everybody knows that, whatever their view on the interpretation of the Sewel convention, because of Brexit, which I and many other people regret, an agreement needs to be reached on how things are going to work in the United Kingdom once we have left the European Union?

David Mundell: I take heed of the right hon. Gentleman’s wise words. This part of the dispute is totally incomprehensible to the wider public, because we are arguing about how we formally agree something that we have already agreed. We have agreed that there are 24 areas in relation to Scotland where common frameworks will be required across the UK. We have agreed that it will be necessary to freeze the current EU arrangements—what is happening every day just now—until new arrangements are put in place on a basis agreed between the Governments. I hope that we can now focus on that important matter, because the frameworks will make the difference to people in Scotland in terms of jobs and security in their day-to-day lives. That should be the focus, not dancing on the head of a constitutional pin.

Andrew Bowie (West Aberdeenshire and Kincardine) (Con): As Lord Sewel’s Member of Parliament, I rise to speak because I am concerned for his welfare. All this talk of being turned on his head must be quite an experience for him. Given the exceptional nature and circumstances of the EU (Withdrawal) Bill, does my right hon. Friend agree that this Government have acted in line with the convention of my constituency, Lord Sewel, in order to protect the devolution settlement, which only the Conservative party will do, and to maintain the integrity of our United Kingdom?

David Mundell: Obviously I agree with my hon. Friend. Some people have sought to interpret the Sewel convention as meaning “never” or “not at all” or “not in any circumstances,” when the wording of the...
Minister speaking. The disrespect to Scotland is risible, Bill when it came back here. Nineteen minutes of one voice—there would be time to debate and amend the main party, the SNP, but all Scottish MPs have no after the Bill went to the Lords—where not only Scotland’s Report; then, on Third Reading, we were promised that amendments would be tabled on Second Reading we were promised that amendments happened at every stage of the EU (Withdrawal) Bill: matters like football?

David Mundell: We have just heard from an expert in misinforming on the facts. His is not a fair or accurate interpretation of anything that has happened, but it belies the SNP’s fundamental view of the United Kingdom. Scotland is not a partner of the United Kingdom; Scotland is part of the United Kingdom.

Giles Watling (Clacton) (Con): I recognise theatre when I see it, particularly well-rehearsed theatre. Judging by today’s second performance, we could be in for a very long run. When the late, great David Bowie shouted from the stage, “Scotland, stay with us,” I agreed with him, and so did the majority of the Scots. We have stood shoulder to shoulder for generations, very successfully, and we have taken on the world. Does my right hon. Friend agree that we should continue to stand shoulder to shoulder and back each other, even when it comes to matters like football?

David Mundell: There is one thing on which I agree with my SNP counterparts, which is on commending the Scottish cricket team for their momentous victory over England. My hon. Friend is right that we had all these discussions, on the nature of Scotland’s constitution and its relationship with the rest of the United Kingdom, in depth at the 2014 independence referendum. People voted decisively to remain in the United Kingdom on the basis that that was to be a once-in-a-generation choice. Let us not continue with this incessant debate and discussion about independence, but let us focus on using all the new and additional powers the Scottish Parliament will have for the benefit of the people of Scotland.

Dr Philippa Whitford (Central Ayrshire) (SNP): It happened at every stage of the EU (Withdrawal) Bill: on Second Reading we were promised that amendments would be tabled in Committee; then the Secretary of State promised us that amendments would be tabled on Report; then, on Third Reading, we were promised that after the Bill went to the Lords—where not only Scotland’s main party, the SNP, but all Scottish MPs have no voice—there would be time to debate and amend the Bill when it came back here. Nineteen minutes of one Minister speaking. The disrespect to Scotland is risible, so what does the Secretary of State have to say about how he respected Scotland and protected Scotland’s voice in this Chamber?

David Mundell: The hon. Lady will know there was an extensive discussion about the length of time provided for the debate, and I have said many times already that I believe it would have been better if more time were available, but she conveniently misses out one word I said about the amendments, and that word was “agreed.” I wanted to table agreed amendments in this House—amendments agreed with the Scottish Government—and that did not prove possible at any stage of the Bill. Sadly, it does not prove possible now.

Mr Philip Hollobone (Kettering) (Con): Would not an independent Scotland somehow retaining or reapplying for EU membership simply be in a position of returning to Brussels the 80-plus powers about to be devolved to the Scottish Parliament from Westminster?

David Mundell: That irony, and the irony that the SNP wants to go right back into the common fisheries policy, seems to be completely lost on the SNP, but it is not lost on the 1 million people in Scotland, many of them SNP voters, who voted to leave the EU.

Danielle Rowley (Midlothian) (Lab): The Secretary of State has talked a lot today about co-operation and working together. However, he did not answer the question asked by my hon. Friend the Member for Glasgow North East (Mr. Sweeney). The shadow Secretary of State and the leader of the Scottish Labour party have both written to the de facto de facto Prime Minister to ask for urgent cross-party talks to fix this deadlock, so will the Secretary of State push for those talks, and will he be in attendance?

David Mundell: As the Chancellor of the Duchy of Lancaster and I have made clear, we will have talks if there is something to talk about. Professor Jim Gallagher and Gordon Brown made a proposal last week, and we extensively examined that proposal, but it did not meet our requirement of preserving the UK internal market. Where a solid and concrete proposal is made, of course we are happy to talk about it.

Jonathan Edwards (Carmarthen East and Dinefwr) (PC): The Secretary of State mentioned the Labour Government of my country in his statement, and their actions on the power grab will be remembered as the biggest sell-out in Welsh political history. As a former historian, I can assure the House that that is quite some achievement. Once the EU (Withdrawal) Bill becomes law, is it not the reality that, as far as the new UK internal market is concerned, Wales and Scotland will be rule takers—vassal countries?

David Mundell: Absolutely not.

Tom Pursglove (Corby) (Con): Can my right hon. Friend fathom why the Scottish Government would not want additional powers post-Brexit? Surely it is fair preferable for decisions to be made in Holyrood, with the best interests of the Scottish people at heart, rather than in Brussels, or am I missing something?
David Mundell: Yes, my hon. Friend is missing something: it is just all about independence.

Stuart C. McDonald (Cumbernauld, Kirkintilloch and Kirkdaldy) (SNP): Where else can one Parliament unilaterally alter the competences of another against its will and in such a shoddy manner? Does not this episode show that the Sewel convention is worthless and that the British constitution is archaic, unfit for purpose and beyond repair?

David Mundell: The premise of that question is based on not accepting the United Kingdom’s existing constitutional arrangements, which were the subject of a vote by the Scottish people in 2014 in which they agreed that Scotland should remain part of the United Kingdom.

Andrew Jones (Harrogate and Knaresborough) (Con): Can my right hon. Friend confirm he still expects that Holyrood immediately after Brexit, the result of which is to take no heed of what he has to say?

David Mundell: Only the SNP could turn the Scottish Parliament receiving over 80 new powers, for which it will have direct responsibility, into a power grab. This is what is happening: over 80 areas of power and responsibility are going to the Scottish Parliament. What people in Scotland want to see is the Scottish Parliament focusing on using those powers for the benefit of their day-to-day lives.

Ged Killen (Rutherglen and Hamilton West) (Lab/Co-op): Tuesday was a low point in a long-running shambles for the devolution settlement. I have a lot of time for the Secretary of State, as I find him very constructive, but he is supposed to be Scotland’s voice in the Cabinet and his contradictions at the ballot box show that he has no idea what is going on. How long does he think he will be able to carry on while the Government are clearly moving, compromising or changing. Until we can see a situation where movement might arise, although it might be possible to talk I do not anticipate it being possible to reach agreement.

Christine Jardine (Edinburgh West) (LD): I thank the Secretary of State for providing me with prior sight of his statement. I also welcome the clarification that this is not a constitutional crisis, regardless of how much some Members might like to portray it as such. However, does he accept that the events of this week and the lack of debate on devolution have simply underlined the need for a proper, enduring dispute resolution process, rather than the current system? Surely that would be better than what we have seen from the Conservatives—blocking debate—and the self-serving, cynical hissy fits from the SNP, which do nothing for the people of Scotland.

David Mundell: I certainly agree with the last part of that question. Of course, intergovernmental relations and the arrangements between the devolved Administrations and the UK Government have been the subject of a lot of discussion and scrutiny. Even the Committee chaired by the hon. Member for Perth and North Perthshire, of which the hon. Lady is a member, has looked at these matters. I certainly agree that these intergovernmental arrangements need to be improved, and I want to continue to work to try to achieve that.

Deidre Brock (Edinburgh North and Leith) (SNP): Civic Scotland is also extremely concerned about this legislation. John Downie, director of public affairs for the Scottish Council for Voluntary Organisations, has said:

“If this Bill goes ahead in its current form it will make a mockery of democracy in the UK, damage the economy and ultimately result in constitutional crisis.”

Has the Secretary of State written those people off as diehard nationalists? Are their views to be rubber-stamped and dismissed?

David Mundell: I have been listening to Mr Downie for nearly 20 years; at that time, he used to lobby the Scottish Parliament when I was an MSP. Of course we listen to the views of anyone who comes forward, but I disagree with that interpretation. The Bill, as businesses across Scotland recognise, is about bringing certainty on the day we exit the EU. It is about ensuring that people know what the legal position is, and that is universally welcomed by businesses across Scotland.

Hugh Gaffney (Coatbridge, Chryston and Bellshill) (Lab): There is an important factor in the origins of the Sewel convention: the consent of the Scottish Parliament. As no agreement has been reached or consent given, will the details be published in the missing EU White Paper, which should have been published before any votes were taken in this House?
David Mundell: I hope that in my statement I clarified the constitutional position on the Bill. I would advise the hon. Gentleman that the EU White Paper he refers to will be published in July.

Brendan O’Hara (Argyll and Bute) (SNP): This week, the Secretary of State’s Government abandoned any pretense of a commitment to devolution. By refusing to recognise and respect the sovereign will of the Scottish people and the will of the Scottish Parliament, his Government decreed that only he will control the powers of the Scottish Parliament, it can have only what he says it can have and it will be this place that will decide. Yet just last week, his Tory colleague the hon. Member for Shipley (Philip Davies) said:

“If we allow devolved areas only to make decisions with which the Westminster Parliament agrees, there is not much point any more in any form of devolution.”—[Official Report, 7 June 2018; Vol. 642, c. 458.]

Was he right to say that?

David Mundell: Again, the question is based on a premise that does not accept the current constitutional arrangement. I respect the fact that the current questioner and the likely remaining questioners will all have that position. They are entitled to it; they are entitled to argue for independence for Scotland. But they are not entitled to misconstrue the current constitutional arrangements within the UK. The Government have operated entirely within the Sewel convention in the actions they have taken. I want to see the devolved Parliaments doing thing differently—doing the things in Scotland that are right for Scotland. What disappoints me is how little time the Scottish Parliament, at the behest of the Scottish Government, actually spends legislating for Scotland and bringing forward different and new arrangements that would be specific to Scotland’s needs.

Joanna Cherry (Edinburgh South West) (SNP): During his statement the Secretary of State repeatedly spoke about respect, and he, the Prime Minister and other Ministers have repeatedly talked about their respect for the decision of the Welsh Assembly to grant consent to the Bill. If they are truly democrats, should they not accord equal respect to the decision of the Scottish Parliament not to grant consent? Or does their respect for democracy not extend to Scotland’s Parliament?

David Mundell: I do respect the decision of the Scottish Parliament. I have made it clear that I am disappointed by it. I was particularly disappointed by the Scottish Labour party’s approach to that decision. We respect the decision, but what happens next is determined by the Sewel convention and we are acting in accordance with that.

Patrick Grady (Glasgow North) (SNP): The Secretary of State says that the situation is not normal, but he is establishing a new normal. He is establishing that this place can and will override the Scottish Parliament whenever, or if ever, the Scottish Parliament chooses to disagree. That is the opposite of the Sewel convention. The way he could demonstrate that he is not in defiance of the Sewel convention is by standing at the Dispatch Box now and confirming that the European Union (Withdrawal) Bill will not be sent for Royal Assent until agreement is reached.

David Mundell: Of course there is still time to reach agreement, and we have indicated that if the Scottish Government came forward and set out agreement to what is proposed, we would welcome that. The hon. Gentleman, as a number of his colleagues have done to date—no doubt we will hear this further—chooses to misrepresent what the Sewel convention says. It is not an absolute term. It has not been utilised in this way previously; I would not want it to be utilised again. I would want us to reach agreement with the Scottish Parliament on issues such as these, and I give that commitment today that on all occasions that will be my approach and this Government’s approach.

Stewart Malcolm McDonald (Glasgow South) (SNP): By no stretch of the English language can the word “collaboration” encompass a 19-minute statement, all of Scotland’s Members of Parliament excluded from the debate, and then a vote to override the wishes of the Scottish Parliament. This is a poor excuse for a Parliament and the right hon. Gentleman is fast becoming a poor excuse for a Secretary of State for Scotland. Will he stand up at the Dispatch Box and do what my hon. Friend the Member for Glasgow North (Patrick Grady) just asked him to do: confirm that the European Union (Withdrawal) Bill will not be given Royal Assent until an agreement is reached?

David Mundell: I am sorry—as I am sure you are, Mr Speaker—that the hon. Gentleman. Gentleman has such a low view of this Parliament, because he seems to me to be an active contributor to it and to utilise his position as a local MP effectively. I cannot give him the undertaking that he seeks. I have said at the Dispatch Box more than once already that if the Scottish Government wish to proceed on the basis on which the Welsh Assembly Government are proceeding, I am more than happy to facilitate that. I am more than happy to have a discussion on any other constructive proposal on these issues.

Martyn Day (Linlithgow and East Falkirk) (SNP): Just after the Brexit vote in this very Chamber the Secretary of State confirmed to me that

“The Scottish Government will be at the heart of the negotiation process.”—[Official Report, 6 July 2016; Vol. 612, c. 866.]

Yet here we are, after the European Union (Withdrawal) Bill debates, with no sign of how the UK Government will reflect the will of the Scottish Parliament. Does the Secretary of State not see that as anti-democratic and disrespectful?

David Mundell: We have moved to ensure that the Scottish Government are at the heart of the negotiation process. A new ministerial forum—co-chaired by the Parliamentary Secretary, Cabinet Office, my hon. Friend the Member for Norwich North (Chloe Smith)—has been established, and it has met Scottish Government Ministers to discuss how they want us to approach certain elements of the EU negotiations. So yes, in policy areas in which the Scottish Government have an input in the process, we want to ensure that they are there and are heard, and that we work collaboratively and constructively, but we cannot agree with the Scottish Government’s proposition that the Scottish Parliament should have a veto over measures that apply across the whole United Kingdom.
Chris Law (Dundee West) (SNP): Given that the highly respected former editor of the Daily Record, who was instrumental in the creation of the Better Together parties’ vow, has now decided to support independence, does the Secretary of State agree that the Union is well and truly stuffed and the Secretary of State’s tenure is well and truly over?

David Mundell: Mr Murray Foote is a good friend of mine, and he will stay a good friend. I have many friends who support independence, just as I have many friends who voted for Scotland to remain part of the United Kingdom. That is the basis on which the debates in Scotland should be conducted—a much more convivial and civil basis than they have been recently. The antics of the right hon. Member for Ross, Skye and Lochaber (Ian Blackford) yesterday do not help, because they agitate the political environment in Scotland, and, rather than enhancing the opportunity to debate issues, they reduce it.

Marion Fellows (Motherwell and Wishaw) (SNP): I agree with many of my hon. Friends that the Secretary of State is a nice man, and I respect him personally, but does he not see that his Government’s complete disdain for Scotland extends even to his position? He was sidelined during the Brexit discussions and had no place at the table to discuss the impact on Scotland. His paymasters hold him in the same contempt as they hold the Scottish people. When comes the point at which principle takes over for the Secretary of State?

David Mundell: I can agree that the hon. Lady is a nice lady, and I have always got on well with her, but beyond the initial part of her question I do not agree with her. My role is to be at the heart of the Government, ensuring that Scotland’s issues and concerns are taken into account, not only on Brexit but on a whole range of other issues. I know that, like her colleagues, the hon. Lady does not accept the current constitutional arrangements, but I will continue to do my job of standing up for Scotland within the United Kingdom.

Ronnie Cowan (Inverclyde) (SNP): I am going to be a bit more conciliatory than some of my colleagues have been today, and would like to thank the Government’s man in Scotland. I thank the Secretary of State for his insipid statement, I thank the Secretary of State for failing to show respect to the Scottish Parliament and I thank him for failing to engage in meaningful discussions, because people I could not reach during the Scottish referendum are now stepping forward in droves and engaging in this conversation. People who argued no to Vote 2014 are flocking to the indy cause; SNP membership is once again on the increase; and when the time comes, as it surely will, the Secretary of State will reap what he has sown. Is this the legacy that he wants for his tenancy?

David Mundell: The others on the SNP Benches have perhaps sought to hide it a bit more, but the hon. Gentleman did not; he is very clear that this is all about having another independence referendum. I am afraid that on that matter we are never going to agree.

Chris Stephens (Glasgow South West) (SNP): It was no surprise a few moments ago to hear the Secretary of State condemn walk-outs, given that 30 years ago his party legislated to deny workers that right in every other workplace. He made no mention in his statement of anything about the views of civic Scotland. There has been an overwhelming negative reaction, such as that from the Scottish Trades Union Congress, to the current form of clause 11 of the European Union (Withdrawal) Bill. Does the he not agree with the STUC that in its current form clause 11 is devolution’s greatest ever crisis?

David Mundell: I most certainly do not agree with that assessment. The feedback that I have received from civic Scotland and from ordinary people across Scotland is that they are sick and tired of this constitutional wrangling—of this dancing on the head of a pin to find something to have a row about. They want the two Governments to work together in Scotland’s best interests and, particularly in the current circumstances, to get the best possible deal for Scotland and the rest of the UK as we leave the EU.

Several hon. Members rose—

Mr Speaker: I call Carol Monaghan.

Carol Monaghan (Glasgow North West) (SNP): Good choice, Mr Speaker.

Given the recent assurances on the Northern Ireland border, will the Secretary of State make a commitment that if Northern Ireland gets a bespoke deal on regulatory alignment, he will be fighting to protect Scotland’s interests and ensure that Scotland gets a similar deal?

David Mundell: My answer is actually the reverse, in the sense that we want an arrangement that applies to the whole United Kingdom. We are not going to have bespoke arrangements for different parts of the United Kingdom.

Peter Grant (Glenrothes) (SNP): In his capacity as Scotland’s man in the Cabinet, the Secretary of State has been responsible for promises being made from the Dispatch Box on four occasions, and he has been responsible for those promises being broken on four occasions. In his capacity as the Cabinet’s person in Scotland, he has been responsible for a situation that the BBC has said can fairly be described as a power grab and that The Spectator magazine has said no self-respecting Scottish Government could ever accept. In addition, as has been mentioned, one of the most arch Unionists of 2014 is now enthusiastically pro-independence, and in the 24 hours before the Secretary of State stood up to speak, 5,000 new people joined the SNP. If that is what he does when he is trying to keep Scotland in the Union, what on earth would he do if he was trying to persuade us to leave?

David Mundell: I do not recognise the hon. Gentleman’s catalogue of events. I have been very clear, as I have said already in answer to other questions, that I wanted to introduce amendments to the European Union (Withdrawal) Bill to the House, but I wanted those amendments to have been agreed with the Scottish Government. It was not possible then and it has not been possible now to reach that agreement, because the Scottish Government have adopted a position that is not in accordance with the current constitutional settlement. It is their view that the Scottish Parliament should have
a veto over matters that affect the whole United Kingdom. That was not part of the original devolution settlement and it is not part of it now.

Patricia Gibson (North Ayrshire and Arran) (SNP): During Tuesday’s 19 minutes and even in today’s statement, we heard nothing from the UK Government on how they propose to reflect the views of the Scottish people and the views of all the democratically elected parties in the Scottish Parliament, save for the out-of-touch Tories. Does the Secretary of State think that that is an illustration of Scotland being a valued and equal partner in the Union? Why does he continue, right through the statement today, to try to portray this as the Scottish Government refusing consent, when he knows fine well that it is every single party in the Scottish Parliament, except the Tories?

David Mundell: As the hon. Lady, whose energetic contributions I always enjoy, would make clear, we have been seeking to agree an arrangement with the Scottish Government. The Scottish Government then take forward a recommendation to the Parliament in relation to legislative consent. They took forward a motion to decline not just this part of the Bill, but the whole Bill. I wish that it were otherwise, but I hope now that we can move forward to work with the Scottish Government on the issues which we have already agreed. We have agreed the 24 areas which it is likely will need common frameworks. That is where we should be now. We should be working with the Scottish Government, the Welsh Assembly Government and, hopefully in time, a Northern Ireland Executive to create those frameworks because it is those frameworks that will have the impact on the day-to-day lives of people in Scotland. That is what people in Scotland want to see. They want to see their Government focusing on the issues that matter to them, not on constitutional pin-head arguments.

Gavin Newlands (Paisley and Renfrewshire North) (SNP): On Burns night, the Scottish Secretary told me in this Chamber that the Bill would be amended in agreement with the Scottish Government and the Welsh Assembly Government. He said that he took full responsibility for failing then. Will he take full responsibility for going back on his word now and resign?

David Mundell: The emphasis that the hon. Gentleman put on the words in those sentences is not quite correct because I wanted an agreement with the Scottish Government, but it is quite clear that that agreement will not be forthcoming on a basis that would be acceptable under the existing devolution settlement. We have rehearsed those arguments numerous times in answers to questions today. It is not acceptable that the devolution settlement be changed as part of Brexit to give the Scottish Parliament a veto over matters that would apply across the whole of the United Kingdom.

Alan Brown (Kilmarnock and Loudoun) (SNP): A reminder: the Tory-friendly Spectator magazine said that no self-respecting party of any colour could give consent to the EU withdrawal Bill in its current format. As other hon. Members have said, much of civic Scotland agrees about the impact on devolution, yet, instead of showing any contrition whatsoever, the Secretary of State comes to the Dispatch Box and tells us to like it or lump it and does some SNP bashing for good measure. It is quite obvious that he cannot even differentiate between the SNP, the Scottish Government and the Scottish Parliament, so I ask him to show some backbone for once and resign.

David Mundell: When we brought forward the initial proposals, Members of this House, Members of the Scottish Parliament and others responded to those proposals, and I appeared before the Finance and Constitution Committee of the Scottish Parliament. We listened to what we heard from all of those, from civic Scotland and from elected representatives across Scotland, and we made very, very significant changes to the Bill. As the hon. Member for Edinburgh South (Ian Murray) pointed out, we were extremely close to reaching agreement. Those in the room felt that agreement could be reached but, at the end of the day, Nicola Sturgeon and the Scottish Government did not agree with what was proposed. On that basis, we have not been able to conclude agreement. I regard that as regrettable. I would still welcome it if the Scottish Government came on board with the Welsh Government in relation to supporting the proposals if that is at all possible.

Alison Thewliss (Glasgow Central) (SNP): Thank you for calling me, Mr Speaker. My knees are now well and truly jiggered.

Is it not a worrying and disturbing interpretation of consent when one institution can impose legislation on another? Could the Secretary of State tell us exactly what his definition of consent is?

David Mundell: I set out in my statement the definitions and the operation of the Sewel convention. I understand that the hon. Lady does not support the existing constitutional arrangements in the United Kingdom and wishes to change them. That is, as I have repeatedly said at this Dispatch Box, a perfectly legitimate position to adopt, but what is not right is to seek to misconstrue the existing arrangements. The Sewel convention is clear and this Government have acted in accordance with it.

David Linden (Glasgow East) (SNP): In the 1990s, there was a referendum on devolution and every party, including my own, except the Secretary of State’s party, campaigned for a yes vote. Scotland rose to the occasion after that yes vote, including the Conservatives. One of the proudest moments that all of us in Scotland had was watching those new MSPs for the first time process up towards the General Assembly of the Scottish Parliament. May I ask the Secretary of State, who was in that procession as a new MSP, with all those people looking on in pride, whether he ever thought that, 19 years on, he would be at that Dispatch Box starting the process of deconstructing the Scottish Parliament?

David Mundell: Perhaps it was apt to leave the most ludicrous contribution til last. This Government have delivered additional powers to the Scottish Parliament, so I do not know how the hon. Gentleman can make that statement, as Ministers today discuss the transfer of welfare powers, so that the Scottish Parliament can set up its own welfare system. Income tax powers have been introduced, which, regrettably, means that some of us have to pay more tax in Scotland than other parts of
David Mundell

the United Kingdom. This Government have presided over a significant increase in the powers and responsibilities of the Scottish Parliament, but it will never be enough for the SNP. Ultimately, it does not support devolution and all it wants is another independence referendum.

World Cup 2018: FCO Preparations

FOREIGN AFFAIRS COMMITTEE
Select Committee statement

Mr Speaker: We now come to the Select Committee statement by the Chair of the Foreign Affairs Committee, the hon. Member for Tonbridge and Malling (Tom Tugendhat). I remind the House of the procedure, which is still relatively new. The procedure is that the hon. Gentleman, as Chair of the Select Committee, may speak for up to 10 minutes, during which no interventions may be taken. At the conclusion of his statement, I will call on Members to put questions on its subject and call on Mr Tugendhat to respond to them in turn.

2.8 pm

Tom Tugendhat (Tonbridge and Malling) (Con): Thank you, Mr Speaker. I am very pleased that we are following on from a matter so close to Scottish hearts—we are now going to take on another one that is very close to Scottish hearts, which is, of course, England and the World cup.

This is a timely statement, because today, in only two hours, Russia is playing Saudi Arabia. I wish both sides the best of luck because, frankly, it would be hard to choose between them, although not as much luck as I wish the England team when we come up against Tunisia on Monday.

Before the tournament began, the Foreign Affairs Committee wanted to ensure that the Foreign Office was providing adequate support to the 10,000 UK nationals who are expected to travel to Russia. As a Committee, we are concerned about the history of violence by Russian hooligans, the current tensions between the United Kingdom and Russia, and particularly the expulsion of Foreign and Commonwealth Office officials working on the preparations for the games. That was why we launched this inquiry into the FCO’s preparations for the World cup.

We wanted to explore the impact that the UK’s reduced diplomatic presence has had on preparations for the tournament, and what the Foreign Office has done to keep fans informed of the risks and how to stay safe. We heard evidence of the hard work that has been taking place across Government and other bodies to prepare for the World cup. We would like to recognise the work of all those involved in the preparations, especially the officials who have remained in Russia, their colleagues who were expelled and those who had to leave.

The Committee concluded that Russia raises serious concerns as a World cup host. Russian hooligan groups have a history of violence at matches, as we saw at the European championships in France in 2016, when dozens of England fans were injured by co-ordinated groups of Russian supporters—many of them encouraged by members of the Russian Duma. Despite a Government crackdown on these groups, Russian authorities cannot control the hooligans who operate at the margins. Some minority groups face even greater risks. We refer particularly to lesbian, gay, bisexual and transgender groups—people in Russia who have suffered persecution and violence, often at the hand of the state. In the words of the Foreign Office, the state takes “little action to combat homophobia.”
Today, it is worth noting that the well-known campaigner, Peter Tatchell, appears to have been detained in Russia while campaigning for LGBT rights.

We received evidence of vile threats made towards LGBT football fans, warning them not to come to the World cup. Racist abuse is also common around football matches in Russia, and the FCO has warned travellers about the risks of racially-motivated attacks. Hooligan groups often have links to far-right politics. Although the United Kingdom recognises the risk to minorities, we are concerned that the FCO’s approach in this area has been overly complacent. The Foreign Office Minister, my hon. Friend the Member for West Worcestershire (Harriett Baldwin), offered us only vague reassurances about the Russian state’s commitment to protecting minority fans.

There is also a risk of attacks targeted against UK nationals generally. After the Salisbury incident, the Foreign Office warned travellers that heightened political tensions could lead to anti-British sentiments. It is also worth noting that, although of course the focus is on England, fans from across the United Kingdom will be going to support teams from across the world, so we are very conscious that these fans may be from any one of the nations. For these reasons, we remain concerned about the safety of all UK fans travelling to Russia.

Given the risks, we believe that it was wrong for the Russian Government to expel the officials leading on the preparations for the World cup. We are concerned that this will have hindered preparations and could put the safety of UK fans at risk. The safety of fans in the World cup is Russia’s responsibility, and the advantage that it has as a police state, of course, that it has many policemen, Russia could choose—and can act—to protect all. The Foreign Office and other witnesses told us that they had received adequate reassurances on Russia’s ability and commitment to do that. However, it is the Committee’s view that these reassurances are undermined by Russia’s decision to expel officials before the World cup, and the general volatility of Russian-UK relations. Only recently, a message went out from a politician who is a supporter of President Putin, saying that violence is intrinsic to the Russian game. It should not be; it has no place in football. The reassurances are also undermined by many other politicians who have supported violence against the LGBT community and ethnic minorities.

There are plans for rigorous security measures and extra consular support in places where the England team will play on match days, particularly within stadiums and official fan zones. The Russian security forces are likely to take a paramilitary approach, using overwhelming numbers to prevent disorder. However, we are concerned for the safety of UK fans between match days, and for those who are not following England and who therefore may be at other stadiums.

We are also concerned for the planning of later games. I am sure that the House shares my confidence that England will progress from the group stage to the knock-out and all the way to the final, but it was not clear to the Committee exactly what preparations had taken place for England matches beyond the group stage.

The Foreign Office told us that it would advise UK nationals not to attend the World cup if it could not guarantee their safety. Given the volatile state of UK-Russia relations, it is important that the Government are ready to give clear and unambiguous advice to UK nationals if the situation changes while they are there. If the security situation deteriorates, the Government must be prepared to act fast and decisively, possibly advising fans to stay in a location, to reach the embassy or, indeed, to leave the country. That is why it is so important that the Government can communicate with fans during the tournament. However, at the time of this report’s publication fewer than 9,000 people had signed up to the FCO’s travel alert scheme, even though 150,000 UK citizens travel to Russia each year. It is a worryingly low number, suggesting that many fans may not yet have taken the opportunity to sign up. I urge all those who are travelling to do so.

We asked the Foreign Office why its advice website, “Be on the Ball”, for those travelling to the World cup did not offer specific security information to LGBT or black, Asian and minority ethnic fans, given the extra risks that they face. We welcome the fact that, after our questioning, the Government agreed to add this advice and it is now on the website. However, the Government missed a trick by not having it on the “Be on the Ball” site in the first place.

Football fans should not be faced with a choice between missing a wonderful sporting occasion such as the World cup and travelling to countries with poor human rights records where there are high risks to fans. That is why, in principle, we welcome FIFA’s recent reforms to the bidding process for World cup hosts that place human rights requirements on countries that host the tournament. We want to see what impact these reforms have in practice. Yesterday, FIFA members selected the United States, Canada and Mexico as the 2026 World cup hosts under the new rules, and we welcome the possibility of encouraging fans to visit.

We have asked the Foreign Office to report back to us in September on how far the new conditions have served to ensure that host countries respect human rights and on what more needs to be done. Russia is an exceptional nation to be hosting the tournament and we recognise the difficulty that this has placed on the Foreign Office, so we look forward to hearing what lessons have been learnt. In that report, we would also like the Foreign Office to reflect on how successful its preparations were and to consider lessons for other large-scale events.

We wish all football fans and their hosts an enjoyable World cup. We hope to hear good news from the Foreign Office when it reports back to us in September with its assessment of how the tournament went. Of course, I wish the very best of luck to the England team when they play Tunisia on Monday. I look forward to welcoming them home with the trophy.

Mr Speaker: I am extremely grateful to the Chair of the Select Committee for his statement. I propose—with the concurrence of colleagues—that questions from the Front Benchers should come at the end, so we will take Back Benchers first.

Ian Murray (Edinburgh South) (Lab): May I ask the distinguished Chair of the Foreign Affairs Committee to reflect on the issues around future World cups? I was delighted to see that the Committee has asked the Government to produce documentation to go to FIFA and UEFA to see whether countries bidding for these major sporting events, including the World cup, are
[Ian Murray]

Indeed suitable to host them. I also wish England all the very best in the World cup, partly—or maybe mainly—due to the fact that I have put some money on them. That is my Scottishness shining through. Will the Chair of the Select Committee reflect on whether the Government are doing enough to make the case—not just to UEFA and FIFA, but to other international bodies of major sporting events—that we should not be granting these major, worldwide events to countries that have problems with LGBT rights, black and ethnic minority rights, rights for women and so on?

Tom Tugendhat: The hon. Gentleman is absolutely right. Although we did not look specifically at FIFA's awarding procedures for these games, we know that they are mired in controversy. We hope very much that this tournament and the Qatar award will be the end of a process that has left a stain on an international organisation that should have our full support.

The hon. Gentleman is of course right that FIFA does not stand alone on this. The International Olympic Committee, the FIA and many other international sporting bodies are set apart from the international order, in the sense that they do not really answer to any national Government. Indeed, when they arrive in a country, they often stipulate legal changes that have an impact on the host community. It is therefore even more important for host nations to be responsible nations and to recognise that civil rights are human rights that must apply universally.

That is why I repeat my deep concern at the report of the arrest of Peter Tatchell, a man who has campaigned for human rights and civil rights for many years. In a recent interview on Nick Robinson's podcast, he said that his political motivation was one of love—love of his fellow man—and surely that should be reflected at international sporting occasions such as the World cup.

Mr Philip Hollobone (Kettering) (Con): I congratulate my hon. Friend on his statement and commend his Committee for its report. The report makes clear that the Government think that 10,000 British fans will travel to Russia for the World cup. My understanding is that some 1,300 travel bans have been issued to known football hooligans from this country, 11 of whom are from Northamptonshire. The report states on page 5 that the Russian authorities have published a list of only 450 Russian fans who are banned from attending official sports competitions. Given the relative populations of Russia and the United Kingdom, does he share my concern that the Russian authorities do not have the same grip on potential hooliganism that we do in this country?

Tom Tugendhat: I thank my hon. Friend for his question. He is absolutely right. As usual, in his assiduous reading of Committee reports, he has put his finger on the heart of the problem. In reality, we have very little confidence that the Russian authorities wish to either deter hooliganism or stop others from encouraging it, as we have seen politicians do. This is a matter of great concern, because as we have seen time and again, Russia's form of justice is not one that we recognise in this country. The potential harm to fans travelling from the UK or anywhere else in the world is very real, and the willingness to deter it seems to be very low.

Stewart Malcolm McDonald (Glasgow South) (SNP): I am grateful to the Chair of the Foreign Affairs Committee for his statement, and I extend my best wishes to the UK embassy team in Russia, who undoubtedly have a huge job ahead of them over the next few weeks. Having seen what they did in Ukraine for the one-off football match, I am sure that they will be putting lots into it. Is the hon. Gentleman aware of what extra resources the embassy and consular teams in Russia were given by the FCO, and can he adumbrate that if so?

The hon. Gentleman talked about the FCO not putting advice on the website for LGBT travellers until it was asked to do so. Why was it not forthcoming in doing that in the first instance, given the obvious dangers that such people may well face? Will he facilitate through his offices and resources any post-World cup briefings with the Foreign Office and perhaps the Russian embassy, our embassy teams out in Russia and organisations such as FIFA and UEFA?

Tom Tugendhat: I thank the hon. Gentleman. Gentleman for his extremely well-made points. We have looked at the resourcing, and there was an increase in resourcing for the embassy in Russia. We welcome the efforts of the Foreign Secretary in doing that, but he was—one must be fair to him—restricted by the expulsions that followed the attempted murder of two people in Salisbury, which has hindered the FCO's ability to support so many fans. However, that should not be an excuse, and it is not.

We look forward to hearing what the Foreign Office tells us afterwards and to hosting various groups—UK, Russian and international—that have been involved in this, to hear how the World cup went and how such events can be improved. As with all Select Committee proceedings, the hon. Gentleman will be enormously welcome to attend that. As he knows, his hon. Friend the Member for North East Fife (Stephen Gethins) is a strong advocate for those interests on the Committee.

Jonathan Edwards (Carmarthen East and Dinefwr) (PC): I congratulate the Chair of the Foreign Affairs Committee on his statement and the report, but may I express my disappointment that the English football team have not joined Wales, Scotland and Northern Ireland in boycotting the World cup in Russia? May I also invite him to congratulate the Welsh women's football team, who defeated Russia 3-0 earlier in the week? If they get a result against England later in August, they will qualify for the women's World cup.

Tom Tugendhat: I find it difficult to add anything other than congratulations to the Welsh women on defeating Russia. I firmly anticipate that the English men will emulate that in their very best traditions as soon as they get the chance.

Mr Khalid Mahmood (Birmingham, Perry Barr) (Lab): I thank Committee members and the Chair for putting an excellent and comprehensive report together. Despite the expulsions that have taken place, is he comfortable that there are sufficient consular staff to meet the needs? If not, will he have discussions with the FCO team to ensure that there are? I hope that the England team will do excellently and come back with the cup.
Tom Tugendhat: I thank the hon. Gentleman for his comments. He raises some important questions on staffing numbers for the consular support being offered to fans. The Committee has highlighted the mobile consular sections—the mobile embassies, if you like—that will be going to England games. We have also recognised that those will not be going to all stadiums, and therefore fans from the United Kingdom supporting other teams will find it hard, or rather harder, to access assistance. We have been assured by the Foreign Office that staffing is adequate, and we look forward to seeing the report afterwards that evaluates where staffing was best placed and whether it could be improved.

The Minister for Africa (Harriett Baldwin): May I add my very best wishes to the England team? In the format of these proceedings, I will ask some questions on this timely and excellent report.

Can I confirm that the Select Committee have been informed that Russia recently issued temporary visas for UK consular and liaison staff and UK police officers, which means that British embassy officials and UK police will be in every city in which England play? Additional staff will be based in Gdansk, Riga and Vilnius, where some British fans will be based.

Does the Chair of the Committee acknowledge the fact that there will be 24-hour assistance for fans travelling from the UK, from the British embassy in Moscow or the Foreign Office switchboard in London? Does he agree that the “Be on the Ball” website has been updated to reflect his Committee’s recommendations, and that it is a very informative source of detailed information for anyone thinking of travelling to Russia? I hope he will join me in urging colleagues to point any constituents who are thinking of travelling to Russia to that website.

Finally, I encourage all Members who are interested in this topic and have constituents who are travelling to Russia to acknowledge that since we last publicised the number of people who have signed up to Twitter travel alerts, it has increased substantially to more than 11,000 people? That is the best way to get regular updated advice. We continue to believe that about 10,000 British nationals will travel to Russia for the World cup. Will the Chair join me in repeating the recommendation that people sign up to that, and also do not forget to buy their travel insurance?

Tom Tugendhat: The Minister has made some extremely valid points. The fundamental point she makes is that it is not just up to the FCO. Everybody has an individual responsibility to make sure they are plugged into the systems being offered by Her Majesty’s Government, and it is essential to do that in advance. The first thing to do is to register for travel advice alerts and check the information available on the “Be on the Ball” website.

Sewel Convention

Application for emergency debate (Standing Order No. 24)

Mr Speaker: In a moment, I shall call Ian Blackford to make an application for leave to propose a debate on a specific and important matter that should have urgent consideration under the terms of Standing Order No. 24. The right hon. Gentleman has up to three minutes—

Ian Murray (Edinburgh South) (Lab): On a point of order, Mr Speaker.

Mr Speaker: I think the point of order will have to come afterwards. Forgive me—I do not wish to be unkink to the hon. Gentleman—but I am two thirds of the way across the road, and it is arguably hazardous—[Laughter.] I am saving him up, because I think he can wait.

The right hon. Gentleman has up to three minutes in which to make his application. I call Mr Ian Blackford.

2.30 pm

Ian Blackford (Ross, Skye and Lochaber) (SNP): Thank you, Mr Speaker, and if we can help you across the rest of the road, we would be happy to do so.

I seek leave to propose that the House should debate a specific and important matter that should have urgent consideration—namely, the validity of the Sewel convention. This week, during the proceedings on the European Union (Withdrawal) Bill, Scotland’s voice was silenced. This Government pressed ahead with their power grab to keep Scotland’s powers in London, not in Scotland. This Government pressed ahead in direct opposition to Scotland’s elected Parliament. This Government downgraded devolution and defied the will of the Scottish people. That is an absolute democratic outrage.

The UK Government have agreed to amendments that severely curtail the authority of the Scottish Parliament in several vital devolved areas. However, legislative consent from the Scottish Parliament was required, and was accepted by the Government to be required, in order for the Bill to proceed. That consent has not been forthcoming. The Scottish Parliament voted, by 93 votes to 30, not to consent to the withdrawal Bill. The Sewel convention established the long-held practice that the UK Government cannot legislate in devolved areas without the consent of the devolved Parliament.

The First Minister of Scotland, the Scottish Government and the Scottish Parliament have made it clear that the lack of a consent motion would have been fatal to the passage of any changes to the devolution settlement. Legislative consent motions are one of the hallmarks of devolution. By proceeding, the UK Government have blatantly ignored a central pillar of the relationship between the Governments and the Parliaments of these islands. This unprecedented move means that the very nature of devolution could be changed forever. What does the failure to grant legislative consent mean if Westminster is prepared to ignore the sovereign will of the Scottish Parliament and the Scottish people?

Mr Speaker, due to no fault of yours, the time restrictions placed on the Bill virtually eliminated the amendments on devolution from the debate. It is imperative that we have an emergency debate as soon as possible to examine the seriousness of this matter. We are in
I have successfully crossed the road.

The people of Scotland must know when this Government will act to recognise and respect the will of their elected Parliament. While we were unable to get a vote for the House to sit in private yesterday—Mr Speaker, I want to make it clear that the SNP’s issue is with the UK Government, not with you—I trust that you will give your consideration to this most urgent matter.

Mr Speaker: The right hon. Gentleman asks leave to propose a debate on a specific and important matter that should have urgent consideration—namely, the validity of the Sewel convention. I have listened carefully to the right hon. Gentleman in making his application, and I am satisfied that the matter is proper to be discussed under Standing Order No. 24. Does the right hon. Gentleman have the leave of the House?

Application agreed to.

Mr Speaker: The right hon. Gentleman has obtained the leave of the House. The debate will be held on Monday 18 June as the first item of public business. The debate will last for up to three hours, and it will arise on a motion that the House has considered the specified matter set out in the right hon. Gentleman’s application.

Ian Murray rose—

Mr Speaker: I will take the point of order—now that I have successfully crossed the road.

Ian Murray: On a point of order, Mr Speaker. I am delighted that you managed to get to the other side. With regard to the Standing Order No. 24 application we have just heard, I seek your guidance in the interests of the House. Will you look at the application and see whether there are any Standing Orders that would allow Members to add their names to it in case the right hon. Member for Ross, Skye and Lochaber (Ian Blackford) is indisposed come Monday? This is the second Standing Order No. 24 application we were due to have from the right hon. Gentleman in two days, and if the subject of this debate is indeed so urgent, perhaps we should have had it more urgently than Monday.

Mr Speaker: I note the point that the hon. Gentleman has made. My understanding—I will interpret his point of order literally and strictly—is that an application is made in the name of a particular Member and cannot be appropriated by another Member. In that sense, and this is a serious point, it is in a different category from a privilege to look at them, and then, in the case of a programme motion—when it wishes.

Ian Blackford: On a point of order, Mr Speaker. Earlier this week I asked what options are available to us in this House to ensure that the Government understand the real concerns among the people of Scotland at the unprecedented power grab, and how we could make sure that our voices are heard. In response, the hon. Member for Bridgwater and West Somerset (Mr Liddell-Grainger) shouted, “Suicide”. I have to say that, in the opinion of many of my colleagues, that is intolerable behaviour. Suicide is a serious matter, with almost 6,000 people taking their lives across the UK in one year. I contend that this behaviour is not fitting for a Member of Parliament and should not be tolerated by the House.

I understand that when this matter was raised with you, Mr Speaker, by my hon. and learned Friend the Member for Edinburgh South West (Joanna Cherry), you said that you had not heard the comment. However, the comment can be heard very clearly on the video of the sitting, which I have taken the trouble to watch. Will you advise me what options are open to the House to deal with the disgraceful behaviour of hon. Member for Bridgwater and West Somerset? I have told the hon. Gentleman that I would be raising this matter.

Mr Speaker: I am grateful to the right hon. Gentleman. Off the top of my head, I am not entirely sure what recourse he has. I have just been advised by a Government Whip that the Member concerned, who is not present at the moment, maintains he was referring to political suicide. I would say that this whole matter underlines the importance of our using language with great care. If somebody uses a word apparently without qualification or political spin but in its raw form, it can cause great offence. None of us—least of all your Speaker—wants to suppress, distort or constrain debate. That said, it is very important that we speak passionately but responsibly, and we probably could all usefully be reminded of the principle enunciated in the precedent recorded in
“Erskine May” that moderation and, where possible, good humour in the conduct of parliamentary debate are much to be encouraged.

I have weighed my words carefully in responding to the right hon. Gentleman, because I have no desire to pick an argument with the hon. Member for Bridgwater and West Somerset (Mr Liddell-Grainger). I was not here and I did not hear it, and I do not want to get into a retrospective spat with him about it. He is an honourable Member, and no doubt he said what he did in the spirit of the moment and sincerely. I repeat that we should all take care. The seriousness of the matter that the right hon. Gentleman has raised is not in dispute, but I hope he will accept it if I say that we all have to take care, the Chair included.

It is probably quite risky for anyone to assume perfection. Over the last 24 hours, some Members have been critical to me—in some cases on the Floor of the House—of the right hon. Gentleman’s conduct and that of some of his own Members. These are, to some extent, matters of opinion. Procedurally, how he chose to operate is a matter of record, but when there are aggressive exchanges across the House, we probably have to remind ourselves that passion and disagreement should be able to co-exist with respect for one another. That means speaking one’s mind—in some cases, extremely strongly—but then also listening to what the person whom one is challenging, questioning or castigating has to say by way of reply. I hope he will accept that that is a fair response to the very proper and legitimate point he has raised.

In case anyone has beetled into the Chamber since the right hon. Gentleman’s application, I remind colleagues that his application for the SO24 debate has been successful, and that that debate will take place on Monday, as the first item of public business, for up to three hours.

Backbench Business

Windrush: 70th Anniversary

2.43 pm

Helen Hayes (Dulwich and West Norwood) (Lab): I beg to move,

That this House notes the 70th anniversary of the arrival of HMT Empire Windrush at Tilbury Docks carrying passengers from the Caribbean; further notes the critical role those passengers played in the post-war reconstruction of the UK, and in particular their work to support the establishment of the newly created NHS; and recognises and celebrates the significant social, political and cultural contribution that those passengers and ensuing generations have made and continue to make to communities across the UK.

I am grateful to the Backbench Business Committee for allocating time for this debate and to the many colleagues from across the House who supported my application.

Today is the first anniversary of the horrific fire at Grenfell Tower, and I want to say at the start of this debate that my thoughts—and those of every Member, I am sure—are with the families of the victims, the survivors, members of the emergency services and all those for whom the last year has been marked by the trauma of that dreadful fire.

On 22 June 1948, HMT Empire Windrush arrived in Tilbury docks from the Caribbean carrying 1,027 passengers and two stowaways. More than half the passengers came from Jamaica, and there were many from Trinidad, Bermuda and British Guiana. There were other nationalities too, including Polish passengers displaced during the second world war. The passengers were responding to advertisements in local newspapers, including The Gleaner in Jamaica, for jobs in the UK, with an opportunity to travel on the Windrush for £28.

The UK was desperate for labour to help rebuild following the devastation of the second world war. The ship’s records reveal that the passengers had a range of skills: they included mechanics, carpenters, welders, engineers, cabinet makers, housing domestics and scholars, and there was a hatter, a judge and a potter, along with many other skilled workers. There were also dozens of airmen who had volunteered to serve in the RAF during the war and had played a hugely significant role in fighting fascism in Europe, including Samuel Beaver King—Sam King—who became the first black mayor of Southwark.

Dr Rupa Huq (Ealing Central and Acton) (Lab): My hon. Friend is making an excellent speech. In the London Borough of Ealing, on the other side of London, we have had a Windrush physical memorial and events for kids in schools since 1998. Does she agree that the word “Windrush” is meant to be a celebration of the kinds of achievements she is talking about, but that it has now turned into one we associate with tragedy because of failures in the Home Office? We see it week in, week out in our surgeries—for example, in the applications that take so long to be processed even when people have paid for priority service. Does she agree that now more than ever the words of Lord Reid from our side—that the Home Office is not fit for purpose—apply?
Helen Hayes: I thank my hon. Friend for her intervention and will come later to exactly those issues, which she raises so powerfully.

Sam King said of his decision to join the RAF:

‘‘I as a young man volunteered to contribute and fight Nazi Germany and by the Grace of God we won. It was a close thing, for example during Dunkirk a lot of people don’t realise that Britain stood alone, for nearly two years against tyranny... we as part of the former British Empire volunteered and contributed and I am glad I did that.’’

Tom Tugendhat (Tonbridge and Malling) (Con): I am drawn to the hon. Lady’s speech and delighted to be here to hear it. What she says is quite true, but of course Britain did not stand alone, and does not stand alone now; we stand alongside our brothers and sisters, who have grown up with us and with whom we have grown up, who came from all parts of what was once the empire and is now the Commonwealth and who have enriched our lives and our culture every day since our contacts were first built. The Windrush generation are not a foreign generation but our own generation and very much part of us. It is to that spirit of unity that she is speaking, and it is one of pride, not shame.

Helen Hayes: I thank the hon. Gentleman for his comments.

Windrush passengers from the Caribbean travelled as British citizens as a result of the British Nationality Act 1948, which created a new category of “citizen of the United Kingdom and colonies” for anyone born or naturalised in either the UK or any of the countries subject to colonial rule. Writing on the 40th anniversary of the Windrush voyage, Sam King described the mixed feelings of the passengers as the ship left Jamaica:

“In the cool afternoon breeze as the sun tilted towards the west, the ship gave out three or four mighty blasts and eased out of Kingston Harbour heading for the Mother Land. About half the immigrants would not look back. In their hearts they were leaving the ‘Rock’ to start a new life in England where, once settled, they would send for their children, brother, sister, mother and father. The other half gazed at the azure sky, the sparkling sea, the majestic Blue Mountain, the beautiful horizon as they disappeared from view, and pledged to go back to the ‘Yard’ within the next five to ten years.’’

The arrival of the Windrush at Tilbury docks was captured by Pathé on a news reel, interviewing some of the passengers and those who followed them settled in the UK and put down roots, often clubbing together to buy property.

The Windrush passengers found London still devastated by the war—undeveloped bomb sites were everywhere, many properties were still damaged and rationing was still in place—but the new arrivals found work. Many passengers were responding specifically to the call for nurses to work in the NHS, which was formally established in July the same year. In my constituency, they went to King’s College Hospital, further down Coldharbour Lane from the labour exchange. As we also celebrate the 70th anniversary of our NHS this summer, we must pay tribute to the enormous contribution the Windrush generation made in both building and sustaining our NHS.

Kate Green (Stretford and Urmston) (Lab): I congratulate my hon. Friend on the speech she is making. She notes the contribution made by the Windrush generation in her constituency and in London, but I am sure she will also want to recognise their contribution right across the country, including by the families who moved to my city of Manchester.

Helen Hayes: My hon. Friend is exactly right. Many nurses trained in London and were then placed in hospitals all around the country. They were part of that outward move from London to all over the country, where they indeed made, and continue to make, such an important contribution.

Windrush passengers also found work on London transport and in the construction industry. Some rejoined the armed forces and many were entrepreneurial, setting up stalls and shops in Brixton market and elsewhere.

The lives of Windrush passengers and others from the Caribbean who followed them to Brixton were captured by commercial photographer Harry Jacobs, who set up shop on Landor Road close to Brixton town centre, providing photographic services so that people could send images to their loved ones back home. Many of Harry’s photos are currently on display in Lambeth Town Hall as part of the Windrush 70th anniversary celebrations. They capture, in a very poignant way, the hopes, dreams and achievements of people in the process of making a new life in their new home of London: a woman in her nurse’s uniform; families dressed in their Sunday best, showing off their prize possessions; the first image of a new baby or a new spouse.

In marking this important 70th anniversary, it would be easy to present a sentimental view of the Windrush generation, focusing only on their significant contributions to Britain, but that would not do their experience justice. The thing which makes the Windrush story so remarkable and so humbling is not just that those passengers came to the UK to work in the aftermath of the war, but that they did so despite facing many challenges: the experience of being far from home in an unfamiliar country with a colder climate and, worse than that, widespread racism, the most clear and ugly illustration of which was found on the signs on the doors of boarding houses reading, “no blacks, no dogs, no Irish”, and which in many situations ran much deeper, often resulting in daily discrimination and humiliation. It is devastating to read the words of John Carpenter, who travelled on the Windrush aged 22, speaking in 1998:

“I know a lot about Britain from school days, but it was a different picture from that one”.

He went on:

“They tell you it is the ‘mother country’, you’re all welcome, you all British. When you come here you realise you’re a foreigner and that’s all there is to it.”

Despite these hardships and injustices, the Windrush passengers and those who followed them settled in the UK and put down roots, often clubbing together to buy
property in order to circumvent the racist landlords, establishing businesses and setting up churches. Sam King became a postal worker. He was elected to Southwark Council and became the first black mayor of the borough, an achievement that was also very brave since he faced threats from the National Front which was active in Southwark at the time. Sam was also instrumental in establishing the Notting Hill Carnival and the West Indian Gazette, and he later established the Windrush Foundation with Arthur Torrington, who still runs it today.

In my constituency, the Windrush generation helped to forge the Brixton we know today, bringing food, reggae, jazz, calypso and Soca music, stories and songs, and working in many different public services and businesses. In doing so, they made a huge contribution to a community where everyone is welcome, where difference is not feared but celebrated. Talented young people from Brixton recently designed a beautiful logo commissioned by Lambeth Council to mark the 70th anniversary of the arrival of the Windrush. It is based on the pattern of human DNA. The Windrush generation and subsequent migrants who have come to this country from all over the Commonwealth sparked the emergence of modern multicultural Britain. They are all part of the UK’s 21st-century DNA.

I am glad today to see Members in the Chamber who I know will speak of their families’ own direct experience of being part of the Windrush generation, including the shadow Home Secretary—my right hon. Friend the Member for Hackney North and Stoke Newington (Ms Abbott)—my right hon. Friend the Member for Tottenham (Mr Lammy), and my hon. Friend the Member for Brent Central (Dawn Butler). It is not my role to do that, but, on behalf of my constituents in Dulwich and West Norwood, to pay tribute and to say thank you to those 1948 pioneers, and those who followed them, for helping to create the diverse and wonderful communities that I am so proud to represent—for helping to make Lambeth and Southwark, and communities across the country, some of the most open communities anywhere in the UK.

But saying thank you is not enough. It is a shameful fact that the injustices experienced by the original Windrush passengers have sadly not been consigned to the past. This has been seen most recently in the Home Office’s appalling systematic denial of citizenship rights to British citizens from the Windrush generation—the ultimate insult to those who came here responding to a call for help on trust that the mother country was their home. It is seen in racial inequalities that still extend through income and employment, educational attainment, physical and mental health, and the criminal justice system. It is seen in the horrific racism that is still to be found in the online spaces of social media. We need look no further than the Twitter timelines of some of my hon. and right hon. Friends here today for evidence of a problem that requires urgent action to address it.

Yvette Cooper (Normanton, Pontefract and Castleford) (Lab): I welcome the powerful tribute that my hon. Friend is making to the Windrush generation and the source of pride that the Windrush generation should be, right across the country. She has raised the injustices faced not just in the past but, outrageously, still today by some from the Windrush generation. She will be aware that the Home Affairs Committee is inquiring into the Home Office’s treatment of these people. Will she join me in supporting an urgent hardship fund for those in the Windrush generation who are being so heavily affected? This has been called for in our interim report and by my right hon. Friend the Member for Tottenham (Mr Lammy).

Helen Hayes: I thank my right hon. Friend for her intervention. I am delighted to wholeheartedly support the call for action that she and her Select Committee have made. I have seen myself, through very many constituency cases, the hardship that this Government’s approach is causing. There is a need for urgent action in the interim as well as for compensation in the longer term for all who are affected.

As we acknowledge and celebrate the enormous contribution of the Windrush generation to the UK, we must commit to an enduring legacy of this anniversary which addresses injustice and roots out racism wherever they are found. To this end, I have some asks of the Government that I believe will help to turn the tributes of our words into a lasting commemoration.

First, I hope that the Minister will know of the work of the Black Cultural Archives, based on Windrush Square in my constituency. The BCA was established in 1981 by Len Garrison, who had come to the UK from Jamaica as a child in 1954. Len Garrison was an educator who believed that, in his words, “collecting and structuring the fragmented evidence of the Black past in Britain as well as in the Caribbean and Africa is a monumental task, but it is a major agenda item” in the “last decade of the 20th century” to create a “better basis for achieving a fully multicultural British society.” The BCA has an extensive archive documenting the history of black people in the UK, from the African Roman emperor who was stationed at Hadrian’s wall—Septimius Severus—to black Georgians, the Windrush generation, and much, much more. It is a national resource that is critical to our understanding as a society, and vital for the sense of place and belonging of many black British people. Unusually for a national archive, the majority of the BCAs core funding is now provided by the local council, Lambeth. This is neither appropriate nor sustainable, particularly in the context of local authorities’ shrinking budgets. The BCA needs stable core funding from the Government, commensurate with its national role, to enable it to do the work of outreach and interpretation and to secure it for the long term. I therefore call on the Minister to work urgently with ministerial colleagues in the Department for Digital, Culture, Media and Sport to identify and confirm core funding for the BCA as part of the Windrush 70 commemorations.

In the climate of uncertainty forged by Brexit in which we are currently living, and which in some areas means that we are seeing an increase in intolerance and hatred, we need to be proactive and assertive in our celebration of the contribution that migrants have made, and continue to make, to life in the UK. I therefore call on the Government to designate 22 June as Windrush Day—an annual event to remember our debt of gratitude to those who answered the call to come and help rebuild the UK, and whose contribution to our economy, public services and communities enriches the UK immensely. It should be a day to celebrate both our diversity and our common humanity.
There is much more still to do to ensure justice for the Windrush generation from the Home Office. Much has been said about the scandal in this Chamber in recent weeks, and there is more to say. Today, however, I will simply say this: justice for the Windrush generation is to be found in confirmation of the citizenship that they have always had, and in financial compensation for the hardship and indignities they have suffered. It must also be in a resetting of the dial for both our collective narrative and Government policy on immigration. We must reassert the British values that do not treat others with fear and suspicion, and instead welcome those who come to the UK to seek safety or contribute their skills, wherever they are from.

Finally, wherever inequality is still rooted in race, we have more to do. We must with urgency address the terrible increase in knife and gun crime that disproportionately affects young black men, and we must ensure that all our schools are properly funded and that there is equal access to the best universities for young people from all backgrounds. The disproportionate incidence of mental ill health among BAME communities must be addressed, and there are many other areas to address.

The recently published report by the Women and Equalities Committee on the Government’s race disparity audit highlighted a woeful lack of data collection on race and ethnicity. That makes it difficult to analyse and reach conclusions on the actions that need to be taken to address race inequality. We do know, however, that the austerity of the last eight years has been bad for advancing equality. Therefore, my final ask of the Government is that they ensure that public services that play the greatest role in increasing equality and tackling disadvantage—schools, housing, policing, youth services and the NHS in particular—are funded properly to enable them to keep on doing so year on year. The Windrush generation are extraordinary for their resilience, dignity, commitment and creativity, and Britain is indebted to them. Let us make this 70th anniversary into a lasting legacy by continuing to build a just, tolerant and equal society.

3.2 pm

Tom Tugendhat (Tonbridge and Malling) (Con): I am deeply honoured to follow the hon. Member for Dulwich and West Norwood (Helen Hayes), whose passionate and fluent speech addressed so many of the questions that affect the way we are building our society today. Of course I will not agree with every one of her remedies, but the fact that she is bringing together a pluralist and multicultural society, and expressing that with such warmth and feeling, is a great credit not just to her and her party, but to the whole House and our whole nation. The voice that she expresses is clearly not just her own, but one of the British people more widely, and I am grateful that I have the opportunity to follow her.

We are talking today not about a foreign generation or distant people but about ourselves. It may seem odd for me, with my background, to say so strongly that the Windrush generation are my generation, but they are. Just as they migrated from other parts of the world, so did my family. My grandfather came from Austria in the 1920s. He was a refugee in so many ways—in that case from a collapsing state: the Austro-Hungarian empire—and he travelled and found sanctuary here. In many ways he could have been called an economic migrant because that is what he was, as were many of the Windrush generation. What he brought with him was the energy, enterprise, imagination and creativity that helped to build the structures that allowed us to win the wars. He was not alone, and he was not dramatic or unique in that in any way—except that he was my grandfather, of course. He was part of a much wider generation.

Today, in focusing on the Windrush generation, we focus predominantly on those who are of Caribbean origin, but that is where I would like to expand this conversation. This debate is not just about one people; it is about the whole of the United Kingdom, and our United Kingdom is just that—united—because it is united from peoples around the world. Whatever we may think of the legacy of empire, the richness that it has given these islands is quite remarkable. We have here, even in this city, hundreds of different nations represented. We have many different languages spoken, and like all the best investment schemes, diversity is the strongest form of success. Today, in this United Kingdom, we have the diversity that ensures the richness and depth of our success.

Peter Grant (Glenrothes) (SNP): While it is true that one of the better legacies of empire is the diversity of our nations and cities, does the hon. Gentleman not accept that a place does not need to have been an imperial power? In certain parts of Canada, for example, the diversity and richness of cultures is at least as much as we find in a place like London, and it has never attempted to be a colonial power over anybody.

Tom Tugendhat: The hon. Gentleman is, of course, right, although one would be hard-pressed to say that Canada was not the legacy of empire. After all, the fact that there are so many Scots in Canada is a legacy of the English and French empires that stretched into Canada 200 or 300 years ago, but I appreciate the point he is making.

To come back to talking about the United Kingdom, when we look around the United Kingdom, if we focus solely on the Afro-Caribbean community, important though it is, we miss the wealth that we get from so many others. I would like to highlight some of the communities that are not normally touched on when we talk about the Windrush community, but are just as much a part of that generation. I want to talk about the Pakistani, Bangladeshi, Sri Lankan and Indian communities. The subcontinent that for years—for generations—was seen as so remote brought with it, when it came to these islands, the heat, wealth and imagination of its people. It brought with it not only the spice that we now enjoy so much in our food, but the technology and imagination that its people have brought to all parts. If one looks today at Birmingham, one sees the imagination and creativity that is evident across that city. If one looks at some of those businesses that started from nothing and listens to some of the children and grandchildren of those migrants who came with £1 in their pocket, thinking that £1 might take them a little bit further than a week or two—only to realise that it would not even get them the train ticket to go to see their cousin who lived up country—one sees that the people who arrived here came with a drive and a determination that has really transformed not just us, but the world.
Kevin Foster (Torbay) (Con): I apologise that I was not here for the opening of my hon. Friend’s remarks due to Parliamentary Private Secretary duties. Does he agree that there is also the entrepreneurial spirit that many brought from the Indian subcontinent? For example, I opened the National Federation of Retail Newsagents conference in Torquay on Monday, and we see the impact in that industry, in particular, of the many entrepreneurial people who came to this country from the Commonwealth.

Tom Tugendhat: My hon. Friend is absolutely right. He will not know this, but I was a beneficiary of that entrepreneurial spirit. When I was learning to be a journalist, one of the papers that I worked for was Eastern Eye, a newspaper that was started by a couple of brothers in their bedroom, as it were, and is now an important voice for a major community in our country.

We are focusing on the Windrush gift to the United Kingdom, but there is a much wider gift here—a gift to the world of those people. Just as our own people, whether they come from these islands 1,000 years ago or come from these islands 10 years ago, have demonstrated the drive and energy to transform this part of the world, the connections around the world have also been transformed. This is where I think we have to focus now as a people, because too many countries today are looking inwards. Too many are seeing the borders, whether they be land or sea. They are seeing those borders as boundaries, and of course, they are not. Those borders are merely the front door to the rest; the front door to the other; the front door to our friends.

That is what we must start thinking about today as we change our relationship with our European friends, and as we change the way in which we interact around the world. We should be looking at the Windrush generation, and, of course, at all the generations, whether they are, like mine, emerging from a broken central Europe, or, like others, emerging from the heat, the sun and the light of the tropical climates from which so many came. Wherever they came from, we need to remember that the links that now tie this House of Commons, this people and these islands to the rest of the world are in no way a drag, but are, in a very fundamental sense, an enrichment.

This must be our new strategy. This must be our new approach: not just looking at the past, but looking at the future. If we can use these links of history, blood and understanding, reinvigorate them, and transform them again into the links that we all want to see—links of enterprise, energy, trade and culture—we shall have an extraordinary future for ourselves, built on a legacy that we all share, built on an enterprise that we all share, and built, fundamentally, on the memory that we are one people, one United Kingdom, and together we have a glorious future.

3.11 pm

Mr David Lammy (Tottenham) (Lab): For, I hope, very obvious reasons, I am grateful for the opportunity to participate in the debate. In so doing, I think of my parents, who are no longer with us, of my brothers and sisters, and of so many aunts and uncles. I think of the life that we all lived in Dongola Road, Tottenham, in the 1970s and 1980s. I mention Dongola Road because at the top of the road lived another family, briefly. It was the family of our former colleague Paul Boateng. As I summon up those memories, I am so grateful to my hon. Friend the Member for Dulwich and West Norwood (Helen Hayes)—my dear friend—for initiating the debate, and for giving Parliament a moment to reflect on an exceptionable generation.

Today I want to remember the contributions of the 492 West Indian immigrants who arrived at Tilbury docks on 21 June 1948, and the 524,000 Commonwealth-born people who followed them until 1971. My own father arrived in 1956, from Guyana, and my mother arrived in the late 1960s. It is important to remember, when we think of those families arriving here, that when they arrived they were very young. My father was only 24, and he was actually at the older end of the scale among those who were on the boats. He produced my older brother just two years later, in 1958. I reflect, now, on what it means to become a parent in one’s mid-20s, in a new and strange country, juggling work, schools and health visitors: all those new things. In paying tribute to these people, we should reflect on how challenging that must have been at times. I hope that we also think about the first-generation immigrants who still come to our country, of how they manage to get by, and of the circumstances in which we support them.

Today, of course, I also want to think about the thousands of nurses who came to Britain before 1971, to form the backbone of our national health service—women like my aunts, whom I watched working late nights and early shifts with incredible pride and dignity; women who toiled for all Britain’s sick and injured. I think of the thousands of transport workers who were recruited directly from Bridgetown and Kingston, and who for 70 years worked as bus and train drivers, and cleaners and wardens, in Britain’s stations and on Britain’s streets. And in thinking of those transport workers, I think of my own mother, who did her own stint at London Underground, and of many occasions meeting her at Camden Town tube station, where she was based. I think of course also of Lord Bill Morris, elected general secretary of the Transport and General Workers Union, the first black general secretary of a trade union in Britain, who found his home in the movement after arriving in 1954—a British trade unionist for all British workers. And I think of great writers who have shaped our nation: people such as Andrea Levy and Zadie Smith, who have given us such moving insights into British life. And I am not sure that I would be able to be a politician were it not for the tremendous work of the scholarly Stuart Hall and CLR James, defining leaders in British political thought, but also the work of those who have been a little more of the street and the frontline: I think of my predecessor Bernie Grant and Linton Kwesi Johnson, whose language and tone always chimed with me.

Today I think of the descendants of the Windrush generation, whose parents and grandparents were told that there was no space under the British flag for them and that there was “no black in the Union Jack.” We tend when we celebrate to look at the positive, and nothing is more positive than Jessica Ennis, Daley Thompson, Linford Christie, Kelly Holmes or Colin Jackson draped in the Union Jack. And as I say that, of course our hearts are with Sterling, Smalling and Danny Rose, who will step out on Monday in the 2018 World cup sporting white, red and the three lions on their shirts.
But while reflecting on this great contribution there must also be a moment to think about the uncomfortable truths—the tough and the hard times—and to think about the struggles of those communities. As I stand here as the Member for Tottenham in London, I want also, as has already been touched upon, to think about communities in St Paul’s in Bristol, Chapeltown in Leeds, Handsworth in Birmingham and Moss Side in Manchester, and historical black communities in Tiger Bay in Cardiff and of course in Liverpool. These people formed the fabric of British society and today we remember them and thank them.

But we also remember the troubles that led up to the Notting Hill riots, the Brixton riot and the Tottenham riots, in which PC Keith Blakelock lost his life. We think also of the great injustices that lie behind parts of the pain and the stain on this country: the stain of the murder of Stephen Lawrence and those young people who lost their lives in the New Cross house fire.

Those on board HMT Windrush were invited here as a result of a Britain crippled by war: a Britain facing chronic shortages of staff; a Britain with a dream of healthcare for all but no way of making that happen. It was a Britain whose hospitals were barely functioning, whose trains were barely running, whose streets were reeling from the destruction and devastation of German aeroplanes that bombed this country, a Britain in desperate need.

Britain called, and they came. It is important to recognise why they came to the mother country, as they called it. They came because they wanted to take part in building Britain’s future, but they also came because there was little future left for them in the Caribbean. Like in Britain after the second world war, the homes of those on board the Windrush and the many boats that came after it had also been destroyed by a foreign power—a foreign power had left much of the Caribbean in a sorry state. Unlike in Britain, however, the siege of those countries had lasted for 300 years. Three centuries of colonial rule had stripped the Caribbean of much of its wealth and resources, and left behind an unsustainable plantation economy. Under the British, the French, the Dutch, the Spanish and the Portuguese, the Caribbean region and Latin America and south America had become little more than a warehouse from which to extract profit.

In 1948, the societies that had once been made up of slaves and their owners were instead made up of rich planters and landless, low-wage labourers. People in the Caribbean had been emancipated from slavery in 1834, but they had achieved their emancipation in name only. Ten years before HMT Windrush arrived on British shores, labourers in Barbados were earning the equivalent of just £3.50 a day. Half the workforce worked in manufacturing and agriculture. Many were employed on sugar plantations and forced to work for extremely low wages. They worked in unbearable conditions, their children were suffering from malnutrition and they faced an influx of disease.

In Jamaica, searing unemployment ravaged society. Britain had closed sugar plantations in favour of cheaper labour elsewhere, and the consequences were devastating. Labour riots were commonplace as people became increasingly frustrated by the destitution that they faced. In Guyana, society was reeling from the Ruimveldt riots in the earlier part of the 20th century. Again, much of the economy was crippled, and people were working in bauxite mines and on sugar or rice plantations for very poor wages and in very poor conditions. People were rioting as a consequence. We cannot forget that Britain’s development was grounded in the underdevelopment of the Commonwealth. Britain’s industrial revolution relied on the deindustrialisation of India, and its profits were built on the exploitation of Caribbean plantations and on the backs of Egyptian cotton farmers and Barbadian sugar producers.

We cannot forget that those on board the Windrush came to Britain filled with the promise of the British motherland, yet this was the same Britain that had promised away all their riches and resources. It was the same Britain that has never faced justice for the crime of slavery, and that stole 12 million people from their homes in the dead of night and carted them like cattle across the ocean and into slavery. This had never before been seen in the world. Britain was still paying off its debts to slave owners in 2015, but it has never paid reparations to those who are the descendants of slaves.

This is the same Britain that, sadly, has recently failed the Windrush generation. It had failed them previously, and it has failed them again today. Many of the Windrush generation have once again been made destitute by the British state. They have had their rights stripped from them, and they have been thrust into despair and desperation. The injustices that the victims face today have a long history, and it is a history that Britain must never forget. I do not say that to evoke guilt. This is not really about guilt. If you do not know where you are from, you do not know where you are going. If you just teach your young people the very best bits of history and do not examine the tougher bits, as the modern nations of Germany and Japan have had to do, you will make the same mistakes over and over.

I am so proud to be a parliamentarian in this great nation, and it is the privilege of my life to speak in this Chamber, but I worry that the “great” in Great Britain is too often predicated on an inability to examine the truths of parts of Britain’s past. The heart of that past is colonial, and as we think about the Windrush generation we do not just think about the fact that they landed in 1948; we think about the umbilical cord between Britain and these people, because they were brought from Africa. The surname I have is not the surname of my ancestors; neither is Diane Abbott’s and neither is Dawn Butler’s. Those surnames were given to us by our slave masters. The language that we speak is a language we learned, because our ancestors lost their language and their culture. That is at the heart of the Caribbean tradition. It is an area of tremendous hybridity. In the Caribbean—I might say the same of Latin America—there is a meeting of the world’s people that is best explained by the carnival of Trinidad or the reggae of Jamaica. That is the area that I know.

Many of the Windrush generation have once again been left destitute in recent times. The injustices that the victims face today have a history that we must remember. The story began in the 1700s and today, most painfully, we have been forced back across the Atlantic by the British Government in unlawful deportations justified by the “hostile environment.” That environment told Windrush citizens that they have no right to the British
public services to which so many of them had dedicated their lives and to which their ancestors had contributed. Those nurses who toiled in our hospitals, the train drivers, and the other public sector workers whom Britain relied were told that their contributions were null and void, and that they should leave this country immediately. Seventy years on, the Government thanked the Windrush generation for their service to this country by throwing them into detention centres and deporting them.

Those victims have still not seen justice, and the Government’s response to the crisis continues to be inadequate. Why is there still no hardship fund for the Windrush victims? Why are innocent British citizens who have been made homeless and jobless by the Home Office being forced to wait months for compensation? People have been pushed into rent arrears and debt by the Home Office, but they still have no financial support. Why are they still being punished for the failures of the British state? Why have 32 of the 63 Windrush citizens unlawfully deported as a result of the Government’s hostile environment policy been refused their right to return to Britain? Why has the Home Secretary decreed that they should be exiled abroad instead of facing British justice in British courts as British citizens?

Why has my constituent Oliver Hutchinson, who arrived from Jamaica in 1970, still not seen justice? He is a citizen by right, but for all of his life he has lived in fear of immigration enforcement and has been unable to get a job, access benefits or even have a stable home. He was arrested recently at a routine appointment with the Home Office on a bench warrant that was 20 years old.

Why has the Windrush taskforce, which has been specially appointed to support victims of the scandal, delayed its response time? Why are hundreds of victims who have contacted the taskforce regarding their citizenship still waiting for an appointment at the Home Office?

Above all, today I think of the victims of this crisis, victims who are still facing desperate uncertainty, and the Government’s subsequent response. I think of Oliver Hutchinson; of Balvin Marshall, a British citizen made homeless and jobless by the hostile environment; of Rosario Wilson, whose grandfather arrived in Britain in the 1950s and who has spent thousands of pounds trying to prove his citizenship; and of my 27 constituents with ongoing cases and the thousands of other Commonwealth-born Britons who live in fear and uncertainty.

I say to the Secretary of State, who has said of those Windrush citizens with criminal records who have been sent back to the Caribbean that he has no intention of bringing them back, that that is unacceptable. It is unacceptable because they are British citizens first. This country has had no such debate on the deportations of criminals. This country stopped deporting criminals to parts of the Australian Commonwealth in 1868. How can it be that, with no debate and no discussion, it has been deemed acceptable once again to deport British citizens, even if they have a criminal record, back to the Commonwealth?

Can I say how badly this has gone down in the broader Commonwealth and how sad and embarrassing it was that we had this discussion and this debate during the Commonwealth Heads of Government meeting? This is not what the Commonwealth expects of the mother country. It has been a very painful episode indeed.

As we commemorate this epic contribution and we think of the joys and the heroes, I thank God for people like Trevor McDonald and Moira Stuart entering my household on Dongola Road and lifting the spirits of my family and my cousins over so many weeks, months and years. As we think about all those great sons and daughters of this great region, let us also think of what further contribution we can give to these people, people who—I hope my right hon. Friend the Member for Hackney North and Stoke Newington (Ms Abbott) will allow me to say this—in some ways contain a little fragility because of that slave history.

There was no reparation for those slaves, and the Caribbean nations have been united in wanting to put the issue of reparations back on the table at the United Nations as they think of their futures. Why do they do that? It is because, as they celebrate so many years since independence—Guyana celebrated 52 years of independence just a few weeks ago—and they look forward to the future, they think about the economies they inherited and they think about all they have achieved but, frankly, there is a sense in which they were abandoned. It is important that this country hears and listens to those calls for support, particularly against a backdrop of the Government making it clear that they wish to enter into trade negotiations with those countries once again. Let us consider: what do reparations look like for those Caribbean nations? How do we make that work? What dialogue do we as a country need to have with those people?

Can we also think about our heritage in this country? In the last few years we have seen the birth of the Black Cultural Archives, based in south London; the International Slavery Museum in Liverpool; and organisations such as the Stephen Lawrence Centre and the Bernie Grant Arts Centre. Many of these organisations are struggling today. Frankly, they are struggling for a handout from the Department for Digital, Culture, Media and Sport. What they should have got was a proper endowment, from which they could derive interest, that bought them security so that they could continue to make a contribution to this country. As we think about those landing cards that were destroyed, let us redouble our efforts on behalf of organisations such as the Black Cultural Archives.

Finally, let me say that we are having this debate against probably the most depressing backdrop possible, having seen the murder of 78 young lives here in the city of London. May I say most gently that there is something that connects these murders at this time with the sorts of crime that we see also in African-American societies and, sadly, in parts of the Caribbean, particularly in Trinidad and in Jamaica. That story is a story of dislocation. It is the story of a lack of fatherhood and role models, and it is a story that begins with those plantations. If you take a black man and you say to him that you can move him across the country to another plantation and strip him from his family, so that he does not own himself or his relationship with his wife or with his children, you create a phenomenon that is very real in those communities: the phenomenon of the babymother, where it is not my wife or my husband, but my babymother or my babafather. That legacy lives on in our communities. It is a community that has been way too accustomed to violence. This is the dislocation of not seeing those role models in front of you and never hearing your history,
and this is about how that affects generations years and years later. We are a community of tremendous resilience, but we cannot all be resilient. So in thinking also of that more painful legacy, let us think about the renewed support that this country needs to give.

3.38 pm

Peter Grant (Glenrothes) (SNP): I really do not know how to follow that outstanding contribution from the right hon. Member for Tottenham (Mr Lammy). When we remember where he has been earlier today and what he has had to put himself through over the past couple of days, we can see that it was an indescribably superb contribution. I hope Members will not expect me to reach anything like either the depth of knowledge or the eloquence he was able to deliver.

Let me also commend the hon. Member for Dulwich and West Norwood (Helen Hayes) for securing the debate and for her initial contribution, because she put the whole thing into context: possibly the most important thing we need to remember about the Windrush generation is that they came to the UK because the UK begged them to come. There was none of this nonsense we see now about how somehow we are doing people a huge favour and we have been a wee bit too kind in letting them in. The Windrush generation were begged to come. They were pleaded with to come. It was their duty to uproot themselves from everything they knew and travel halfway around the world to a place they had only ever seen on postage stamps and posters to do a job that the UK simply did not have the people to do.

At that point the United Kingdom incurred a permanent and non-removable debt, not only to the Windrush generation but to their children and grandchildren, and to generations to come, because had the Windrush passengers not come here, these islands would have taken decades to recover from the devastation of the war—and that was only their immediate contribution. As was said earlier, all the population centres where the Windrush generation eventually settled are what they are today because of the Windrush legacy. That is particularly true of London but also of other great cities, such as Manchester and Cardiff. North of the border, there is a significant West Indian tradition in parts of Glasgow, not from the Windrush time but from times before and after it.

It is intensely sad that the racism experienced by so many of the Windrush passengers 60 or 70 years ago, which the hon. Member for Dulwich and West Norwood referred to, has not gone away. It is perhaps a bit less obvious and less frequent—although I know perfectly well that there is a lot of racism that I do not experience, for obvious reasons—but it is still there. Only last week, Louis Smith, as proud an Englishman as many others present—I nearly said as proud an Englishman as me!—who has won world and European gymnastics championships for England and a string of Olympic gymnastics medals for Britain, was a passenger on a train, sitting in first class, which meant that he was entitled to free tea, coffee and biscuits when the trolley came around. The guy with the trolley was entitled to check that everybody in first class had a first-class ticket. He went through the entire carriage and checked the tickets of the two black men, but he did not check the tickets of any of the white men. We can perhaps take a tiny bit of comfort from the fact that it was a white guy sitting beside Louis Smith who first noticed and challenged it. Quite properly, the rail company issued an immediate apology and promised to investigate.

Imagine, in this day and age, anybody in any employment at all thinking that it could be remotely acceptable to assume that somebody was more likely to be dodging their fare just because of the colour of their skin.

Today I saw a couple of tweets from ScotRail, the main rail service provider in Scotland. Somebody had tweeted ScotRail to express concerns about the safety of the train on which he was travelling, because he had just discovered that a Pakistani was driving the train. I am proud to say that ScotRail responded by telling him to get off and walk. If that person can be traced and identified, I am sure that it will be a long, long time before they are made welcome on any of ScotRail’s services. The fact that such naked racism can still find a place in our society is something that we should all be deeply ashamed of and deeply worried about, because we know where it can lead.

Tom Tugendhat: The hon. Gentleman is making the extremely important point that, of course, racism is sadly not dead in our society; in fact, it is not dead in any society in the world. It is a blight on the minds of humans who seek to divide rather than to unite, and it is a great tragedy that we as humans have not been able to overcome it. Is there not, though, a moment of pride—the hon. Gentleman speaks of it quite rightly—that ScotRail did not react as its predecessors may have done in the ’30s, but saw what had happened for the sin and the wrong that it was? Is it not also right that although the right hon. Member for Tottenham (Mr Lammy) spoke so passionately, truly and rightly about the horrors, immorality and wrongs of slavery, we should also be proud that for all the sins and errors that this country committed in allowing slavery and ever tolerating it, it was this country—this House—that abolished slavery for the first time?

Peter Grant: I am grateful to the hon. Gentleman for his comment. The first place that made slavery illegal was actually Scotland, not England, but we will not argue about that.

Tom Tugendhat: I stand corrected.

Peter Grant: None of our countries can be proud of the fact that slavery was there to be abolished in the first place. In fact, I said in a Westminster Hall debate not that long ago that although I was born just inside what is now the boundary of the great city of Glasgow and consider myself to be part Weegie—by birth if not by residence—and although I am intensely proud of a lot of what Glasgow is, I can never forget the fact that Glasgow became the second city of the empire based on slavery. Where do we think the sugar was produced so that ships were needed to bring it across the Atlantic ocean? Why do we think a lot of ships were needed to bring cotton into the mills of Manchester or anywhere else? The people who produced that cotton were not given a living wage or any kind of decent working conditions. They had no choice about where they worked or what hours they worked. They were not treated as human beings; they were treated as possessions. Sometimes the machines that they were working with were treated with greater care than they were.
It was the children, grandchildren and great-grandchildren of those human possessions who then answered the call and came over to Britain to help put us back on our feet after the war. That was a remarkable gesture, because slavery was recent enough for them to remember it. Some of the older generation who they were living with would have been slaves in their younger days. They were enslaved by the white folk. They were enslaved by the mother country—or their near ancestors were—yet they still answered the call for help and came over to help sort things out. That is something that is simply impossible to comprehend.

**Wera Hobhouse** (Bath) (LD): I thank the hon. Gentleman for giving way. It is easy to say that this country has abolished slavery, but we do live in a country with modern slavery. It is important to keep that in mind.

**Peter Grant**: I am grateful to the hon. Lady for correcting me on that point.

Earlier speakers have mentioned some individuals who made an incalculable contribution to making London what it is, to making England what it is and to making the islands of Britain what they are. I want to mention someone who, in some ways, has nothing to do with Windrush, but whose story illustrates something quite important. His name was Andrew Watson. He was born in Gwyana of a Glasgow father and a Guyanese mother. His father was almost certainly an administrator on a plantation, but probably not a slave owner, although I cannot be too sure. His mother had certainly been a domestic servant at best, and she may well have been a slave. Andrew came over to the UK with his dad—we think it was after his mother died or when she became too ill to look after them. As his dad was very wealthy and well connected, Andrew had a privileged upbringing. It was the kind of privileged upbringing that very, very few Caribbean people living in the United Kingdom at that time could ever have dreamt of.

Andrew was also an exceptionally talented footballer. In 1881, he won an international cap for Scotland. He was the first black person ever to play for Scotland. I wish that we could have him back now. He played only three games for Scotland, and the results were Scotland 6, England 1; Scotland 5, Wales 1; and Scotland 6, England 1. If only we could have him back now. The reason why he stopped playing was that, for employment purposes, he had to move down to London, and the rule was that if a player did not live in Scotland, they could not play for Scotland and if they had played for one country, they could not play for another.

Andrew was the first black player to win a major trophy in any area of Great Britain. He was in London for part of his career. He was the first black player ever to appear in what we now know as the FA cup. Ninety-three years after Andrew Watson, the second black player turned out to play for Scotland. I remember him—I remember watching Paul Wilson of Celtic on the telly when I was a teenager. I was surprised to hear that Paul Wilson was the second black player to play for Scotland, because I only saw the colour of his jersey; I did not notice what colour he was.

It is a sobering thought that Andrew Watson did not experience any kind of racism. People noticed that he wore a different colour of boots to the rest of the team—in those days players had to buy their own boots, and his dad bought him a different colour from the rest of the team—but he does not appear to have suffered from any kind of racism at all from the press, from supporters or from his colleagues. Paul Wilson experienced racism when he first turned out for Scotland, and experienced it regularly when he played for Celtic, as indeed did the first generation of black players to play anywhere in the United Kingdom.

**Mr Lammy**: I hesitate to interrupt the hon. Gentleman. I am hugely appreciative of the fact that he has put on the record the link between Scotland and the Caribbean region. I took a DNA test not so long ago and it turns out that I, too, am a Scot. I am very well aware of my connections to the Blair family, and so potentially a former Prime Minister, and also to the Laing family, and so potentially a Madam Deputy Speaker.

**Peter Grant**: I knew there was something special about the right hon. Gentleman that I just could not put my finger on; all is now revealed. He might well find that he has more Scots blood in him than I have, because the more I look back at my ancestry the more I discover that a lot of it is actually from Ireland—Northern Ireland, rather than the Republic.

I am of immigrant descent. We all are. My ancestors may have come to mainland UK a few years before the ancestors of some hon. Members. But we are all immigrants. There is nobody left in the UK who can claim to be 100% indigenous English, Welsh, Scots or Irish. We would do well to remember that, because the question is not about who is an immigrant, it is just about how long we have been an immigrant for.

**Mr John Hayes** (South Holland and The Deepings) (Con): The last point that the hon. Gentleman made is, in a sense, the most profound. It is about not where we come from, but the shared identity that we enjoy when we are here. The Windrush generation in particular were deeply patriotic, and remain so. These were people who were actually proud of Britain’s history. Of course, they understood that it was a mixed history, but they were proud of it. As the right hon. Member for Tottenham (Mr Lammy) knows very well, I chair the British Caribbean Association and I have formed close friendships with those people—people who called their children Milton, Nelson and so on. How many white British people have ever done that? That was a measure of their patriotism.

**Peter Grant**: I am grateful for that intervention. My name is actually French—Norman—to my ancestors came over at some time along with the Norman conquerors, and I have been trying to keep up with the tradition of upsetting the English ever since. That is not completely true, of course.

The right hon. Member for Tottenham makes an interesting point. It is possible to tell a lot about somebody’s background from their name, but sometimes that background has been broken. Sometimes the link has been deliberately broken to try to turn somebody into something that they are really not.

The important point about identifying with and celebrating a culture—being proud of who we are and where we are from—is that it does not all need to be one place and one time. It is perfectly possible to be proudly Jamaican and proudly English at the same time; it is
perfectly possible to be proudly Scots and proudly Canadian at the same; and it is perfectly possible to be proudly Scots and proudly English at the same time.

Although it is vital that the contribution of black culture—however we define it—to the life of these islands is remembered, celebrated and taught in all our schools, we also need to understand that how we define black culture is no more static or set in stone than how we define any other kind of culture. When people are celebrating black culture in 50 years’ time, they will be doing it in a way that none of us would recognise. When they look back at celebrations of black culture today, they will not recognise it any more than they would recognise Italian culture, German culture or any other kind of culture.

The identity that people hold is up to each person to define for themselves. If we try to put people into boxes by making them exclusively black, white, brown, yellow, European or American, we are not doing them any favours. In fact, we are not doing anybody any favours, because the great benefit of the diversity that exists in humanity is the fact that each and every one of us is unique. None of us is 100% pure-bred anything. That is just as well because, as any dog breeder or horse breeder will say, pure breeds do not live very long. Pedigree dogs tend to be very unhealthy. Give me a good mongrel that is a mix of so many breeds that they can never be disentangled; that dog will probably outlive its master by quite a few years.

Although not many in the Windrush generation eventually found their way to Scotland, parts of the country do have some significant groups of people who are of West Indian and Afro-Caribbean descent. Scotland has had large waves of immigrants throughout its history. It is interesting to look at the ways in which the experiences of other immigrant movements into Scotland have been similar to the experiences of the Windrush generation, and the ways in which they have been different. Sadly, one way in which these experiences have been all too often similar is in the racism and discrimination that immigrants have faced.

As I mentioned, a lot of my ancestors came over from Ireland, as did a lot of the population in the west of Scotland. It is one of the things that Glasgow very much has in common with Liverpool. The racism that they experienced was turned into sectarianism because they identified as being Irish and therefore Catholic, even though they were not necessarily Catholic. That kind of racism in the guise of sectarianism still poisons too much of our society in central Scotland today. We could do with being rid of that, just as we could do with being rid of other forms of racism.

We have also experienced immigration from the other side. By far the biggest export that Scotland has had in the last 200 years has been our people. I remember going to the railway station on a number of occasions when I was a wee boy to see off another of my mum’s wee sisters with her family, as they took the £10 journey to Australia and became Australian citizens. I am delighted to say that the traffic was not all one-way and that my hon. Friend the Member for Edinburgh North and Leith (Deidre Brock) made the journey in the opposite direction.

That is the way things are, and it is the way they should always be. When we celebrate the huge benefits that were brought to these lands by one single big—in fact, not particularly big—migration of people, we should perhaps stop to think about the fact that migration benefits the places that people move to. I cannot think of any instance where migration has not benefited the place that people moved to. That is why I have some concerns about not only the view that the Government are taking towards migration but the direction of travel in which they are taking us in relation to the free movement of people.

Mr John Hayes: I think the hon. Gentleman needs to be clear that the people I described earlier—those patriots who called their children Milton, Winston, Gladstone and so on—take a very similar view of illegal migration, because they took the trouble to come here on an entirely proper basis. Outrage is felt by people in this House and others on behalf of the Windrush generation because they were legal migrants who should never have been treated in that way. They are Britons in the same way that all the rest of us are. We should not assume for a moment—I know you would not, Madam Deputy Speaker, and I hope the hon. Gentleman will not either—that those people do not take a robust view on illegal migration and understand the need for controls on migration as a whole.

Peter Grant: The great shame of the experience of the Windrush generation is that for far too many of them, assumptions were made about their legality or illegality based on nothing better than the colour of their skin or the accent with which they spoke, just as that ticket collector on the train made assumptions about the likelihood that the black guys were more likely to be dodging tickets than the white guys.

I cannot imagine my country without waves of immigration. I am delighted that in any school in my constituency that I go to, there are welcome signs up in 10, 15 or 20 languages, each one of which is the home language of one of its pupils or staff. I am delighted to live in a country whose national colour only exists if we take lots of different colours and mix them together. A tartan scarf made of a single colour is not tartan, and for me, a Scotland, an England and a United Kingdom where everybody was the same simply would not be the great countries that they are.

To those from the Windrush generation who are still alive, I say thank you, and I also say sorry, because the Parliament that I am part of and the Government that I am supposed to hold to account have done you an injustice that would be shameful in any circumstances, but when set against the contribution that you have made to so many cities and regions of these islands, to have treated you and your descendants in that way is a stain on the reputation of these nations that will take a long, long time to clear.

3.58 pm

Wera Hobhouse (Bath) (LD): It is an honour to follow the hon. Member for Glenrothes (Peter Grant). I congratulate the hon. Member for Dulwich and West Norwood (Helan Hayes) on securing this debate and giving us the chance to reflect on the enormous contribution of the Windrush generation. I also want to pay tribute
I believe that it is the responsibility of politicians like us to encourage the inclusive and tolerant attitudes of our citizens. It is the irresponsible politicians who stir up and undermine the cohesion of our communities, including those of newcomers from the EU as well as black and minority communities. We must foster cohesion, not do the opposite, and we should not blame immigration for rising inequalities, job insecurity, the poor availability of housing or poor public services.

The Windrush generation fell foul of quite a lot of this malaise and of anti-immigrant feeling, but they are not the first to have suffered in that way. Only if the Government now completely change their attitude to immigration and stress the huge benefits of our immigrant populations—their hard work, their contribution and their loyalty to our country—can we make amends and the Windrush generation can feel fully vindicated.

On the 70th anniversary of Windrush, the Government must guarantee that every member of the Windrush generation will receive the support they need to claim their rightful citizenship and to live in their rightful home. The same must apply to all those who have fallen victim to discrimination, including Commonwealth citizens—the Kenyans, Australians, Indians and Pakistanis whom we have heard about today. Such people, and I include European immigrants, have established their lives here and put their trust in the UK. Government to protect them. We should celebrate not bemoan the fact that many want to live in this country and call it their home. We should be proud of the open and tolerant society we have and that has welcomed so many in the past.

Wera Hobhouse: I have nearly finished my speech.

I call for the “hostile environment” created by the Government, which led to the Windrush scandal, to come to an end. By officially recognising 22 June as a national Windrush day, we can give people from all backgrounds a reason to celebrate their unique identities, histories and rightful home in UK.

Mr John Hayes: Inasmuch as we can gauge what different groups of the population feel about EU migration and the open borders we have endured with the European Union, the evidence suggests that minority communities—black and Asian Britons—feel just as strongly about this as white Britons. They do not take a more, as she put it, “liberal” view—I always use that term pejoratively—than any other Britons. They are proud to be here, and they understand that we have to have borders.

Mr Hayes: Will the hon. Lady give way?

Wera Hobhouse: I have nearly finished my speech.

4.5 pm

Dawn Butler (Brent Central) (Lab): It is a privilege to contribute to this debate and to add to all the great speeches today. I thank my hon. Friend the Member for Dulwich and West Norwood (Helen Hayes) for securing both this debate and the Speaker’s apartments for next week’s Windrush celebrations, organised in conjunction with Jamaica National Bank and The Voice. I agree with what she said about the Black Cultural Archives and making sure that the Black Cultural Archives receives funding, and about 22 June being Windrush Day for us to celebrate. I would also like to pay my respects to the survivors of Grenfell. I will be on the silent march with my right hon. Friend the Member for Hackney North and Stoke Newington (Ms Abbott) after this debate.

I would like to paint a picture of an expat from Jamaica named Jeff. When he landed, he had his hat, he was dressed and dressed, as they liked to say—his clothes were very smartly pressed—and he walked with his grip, which to everybody else is a suitcase. When he landed, he was shocked by the smog that confronted him, that all the houses were so close together he thought they were factories, and that there were no front or back gardens, which was very different from the green, green grass of home. And this was his mother
land. As he passed the houses and the signs that read, “No blacks, no Irish, no dogs”, he made his way to a shared house in east London owned by a Jewish family who were great allies of the Windrush generation.

That expat was my father. His first job, which he got almost immediately, was working in a Matchbox factory making little toy cars. The factory no longer exists, but there might be some cars in the loft still that are worth some money. When that closed, he worked for London Underground. All that time, he also worked as a gigging musician. He used to tell me about singing in pubs where black people were not welcome or were scared to go.

My dad contributed greatly to this country, not only in the work he did but in breaking down so many societal barriers. Once he had made enough money, he rented a room and sent for my mother. She came to this country and was surprised at a number of things: that food was cooked without seasoning, that English people only bathed once a week and went to bath houses, and that children did not have school clothes, playing-out clothes and church clothes, which were an absolute must in a Jamaican household.

The contribution of the Windrush generation is vast and varied. They were proud not only of how they dressed but of how they were as a community, and they were proud of their mother land, as they called it. They did not know the Jamaican national anthem, because they came before Jamaica became independent. They only knew the British national anthem.

Can we imagine this generation of people, who came to this country to rebuild it with such pride not only in how they looked but in how they conducted themselves, now feeling, in 2018. surplus to requirements? After giving this country the best years of their lives, they now feeling, in 2018, surplus to requirements? After how they looked but in how they conducted themselves, to this country to rebuild it with such pride not only in only knew the British national anthem.

The other issue I raised in my letters is whether the Prime Minister was warned that her decision to tighten immigration controls and have a hostile environment would harm Commonwealth citizens who were here legally. I am yet to receive a response. I need to receive that response. It is very important, and not just because I am a daughter of the Windrush generation. Martin Luther King said that if you are not opposed to a system of detrimental actions or incarcerations, you then become complicit in it. I do not want to be complicit in the actions of this Government who have created legislation that is institutionally racist. My right hon. Friend the Member for Tottenham (Mr Lammy) spoke about the injustices of slavery and the people who were enslaved. I wholeheartedly agree with everything that he said. The Labour Government will create a slavery educational trust based on the Holocaust Educational Trust—because the international slave trade was the African holocaust. We have heard lots of contributions about slavery and enslavement, and how it ended. We need more factual talk, discussion and education on the issue. A slavery educational trust will enable that to happen and quash some of the misunderstandings and misnomers.

I do not think the Prime Minister is a bad person, but I do wonder whether she really understands the emotional and generational trauma that she has created with not just her words but her actions on the hostile environment. It pains me to highlight that these policies are institutionally racist, but they are. As the Prime Minister and her Government work through the race audit that she has instructed civil servants to deliver. I hope that she will also implement section 1 of the Equality Act 2010, which talks about the socioeconomic duty of Government.

As we celebrate, thanks to my hon. Friend the Member for Dulwich and West Norwood, the 70th anniversary of Windrush, we need not just to appreciate but to compensate. Martin Luther King said, “The time is always right to do the right thing.” I hope that the Prime Minister, as Home Secretary, not only spoke about it but created policies that ensured a number of people then became complicit in creating the hostile environment: doctors, nurses, teachers and landlords. It is unusual, rare and dangerous that somebody in authority instructs people to create a hostile environment for their own citizens. We have to be very mindful of that.

It could just be a coincidence, Mr Speaker, but my decision to sit on the Back Benches and speak in this debate today has created a flurry of activity in my office. My office received a call from the Prime Minister’s office with regard to several letters I sent to which I am still waiting for a response. As I say, that could just be a coincidence. For the record, I would like to raise in the Chamber some of the points I have raised in those letters to which I am still awaiting a response.

It is very important that we know how and when cases will be expedited, what new pathways will need to be created and whether the cost of fast-tracked naturalisation—it can cost about £2,000—will be waived. We have been assured that it will. The “Life in the UK Test” also needs to be waived. The people being victimised at the moment are ageing. They are of pensionable age and they need access to healthcare. Some of that is being denied, so we need a clear timetable for when all of this will be achieved, as well as a clear timetable for compensation.

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As we celebrate, thanks to my hon. Friend the Member for Dulwich and West Norwood, the 70th anniversary of Windrush, we need not just to appreciate but to compensate. Martin Luther King said, “The time is always right to do the right thing.” I hope that the
Minister will go some way towards talking about the right thing that this Government will do. I also hope that the Prime Minister will reflect on her hostile environment policies and do the right thing.

4.17 pm

Deidre Brock (Edinburgh North and Leith) (SNP): It has been a real pleasure to sit here and listen to the many excellent contributions made today. I particularly commend the hon. Member for Dulwich and West Norwood (Helen Hayes) for securing this debate and for setting out very movingly some of the experiences of the Windrush generation and their descendants. I want to celebrate another outstanding speech by the right hon. Member for Tottenham (Mr Lammy), which was, yet again, brimming with humanity, compassion and, quite rightly, anger. In his typically eloquent speech, my hon. Friend the Member for Glenrothes (Peter Grant) quite rightly, anger. In his typically eloquent speech, my hon. Friend the Member for Glenrothes (Peter Grant) challenged definitions of identity and reminded us that in the end we really are all Jock Tamson’s bairns.

The hon. Member for Bath (Wera Hobhouse) made a very good contribution in which she pointed out that focusing on immigration statistics is dehumanising. We should be hearing the stories behind those statistics to truly understand the situation. We all have a responsibility as MPs to celebrate the enormous contributions made by immigrants to our society, and not to harass them constantly. I thank the hon. Member for Brent Central (Dawn Butler) for sharing with us the experiences of her father, illustrating better than any number of speeches what matters in this debate—the people behind the figures.

There is a real irony, as has been mentioned, in the fact that Windrush is such a poetic word and yet has now become the byword for a record of racism, intolerance, injustice and lack of compassion. People in general do not really want much. They want somewhere safe and comfortable to live, the means to put some food on the table and to keep the heating and lighting on, and the reassurance that they are not about to be lifted from their comfortable house and flung away to a country they have never known or have not lived in for decades. Arming them with a wee booklet that says, “Try to fit in; pretend you’re from there” is not exactly a substitute for assuring them of a right to live here. Denying people healthcare—that has been mentioned already—and the opportunity to secure a tenancy on a house, have access to education or the right to work, just because they or their parents did not keep their payslips going back 50 years, is simply repugnant. It is not good Government policy, it is not good social or economic policy, and it does not achieve anything other than turning people into outsiders in their own communities. It is xenophobic, racist and it should end.

I was born in a Commonwealth country, but I have had none of the problems that other people report in our surgeries or in emails and letters. Perhaps that is simply because I am white and Australian, or because my English father passes on his rights to me—a privilege not extended to some people who were born here because their families chose to move here. Whatever the reason, I do not get the hassle, and I do not suffer the prejudice that others receive on what often seems like a daily basis. Such prejudice is simply horrific and can easily be described as base mob thuggery, but the horrific part is that the Government are the gang leaders. I applaud the Government for the small steps they have taken to address the issues faced by the Windrush generation, but they do not go nearly far enough. I encourage Ministers to gather their courage and plough on with getting a fair deal for people who have built lives here and contributed to society and the economy, as well as to Government coffers.

For me, the line in the sand is this: the old Immigration Act 1971 should go. Its arbitrary cut-off point has no sense—January 1 1973 has become an immigration shibboleth, and a new totem for staying tough on immigration. It is ludicrous. I have constituents—I am sure we all do—who arrived here with the same ideas as the Windrush people. They came to build a life and contribute to the economy. They had families, paid taxes and made this country a better place. However, because they arrived after the magic date, they are now in limbo. Many of them will be buried in graveyards on these islands without ever having officially become a citizen. They have children who are now adults, and those adults now contribute to society, paying taxes, driving the economy, and making their contribution to the patchwork that is society. They were born and educated in the UK; they work and bring up families in the UK, but they are not citizens of the UK. They may tend the graves of their parents in the land their parents adopted—the only land they have ever known—but they have fewer rights of residence than their parents did when they first set foot in the UK. It is a strange and unusual policy.

Leaving aside the daft hoops and labyrinthine processes that the Government have invented for people who need to prove that they have lived here long enough to be regarded as “one of us”, the arbitrary date is nonsense and exists only because that is the day some outdated legislation came into force. It is the new pale, and those who are beyond it, through no fault of their own, are regarded as “other” by the machinery of state. They are regarded as a problem to be addressed, or as an annoying inconvenience by the state that should be protecting and nurturing them, and utilising their talents.

The response is always that there must be a cut-off point. I disagree, but I hear the argument, so let us have a cut-off point. Let us make it the same as that for EU citizens. If someone can show that they have been living here legally for five years, they can be a citizen. Let people show that they have contributed to society in some way—perhaps by bringing up a family, volunteering, paying taxes or keeping a home for someone else who does those things. There should not be a fee for someone to become part of their adopted country. While we are at it, let us get rid of the stupid tests that people are forced to go through as if they are appearing in a theatrical farce. It is time to step up and sort out this maelstrom of stupidity, so I urge the Minister: let us have a bonfire of these immigration vanities, and let us have some decency for people who are part of the fabric of our communities. Let Windrush stand for something other than prejudice and mistrust; let it stand for the time when sense prevailed and humanity became the underpinning element of immigration policy.

4.24 pm

Ms Diane Abbott (Hackney North and Stoke Newington) (Lab): I am proud to stand at this Dispatch Box and bear witness to the Windrush generation. I congratulate
my hon. Friend the Member for Dulwich and West Norwood (Helen Hayes) on her excellent speech, and my right hon. Friend the Member for Tottenham (Mr Lammy) and my hon. Friend the Member for Brent Central (Dawn Butler) on their good speeches.

Nearly everyone in the Chamber this afternoon has seen the evocative newsreel footage of the men and women from the Caribbean who sailed to Britain on the Empire Windrush in 1948. Who were those people? I ask the House for a moment to put themselves in the shoes of those men and women. As my right hon. Friend the Member for Tottenham pointed out, they were young. Many of them may have looked a little older than they were, but that was because they were all wearing their Sunday best—the hats, the bonnets, the tailored suits, and the frocks—and they came to Britain so full of hope and enthusiasm. As many Members have said this afternoon, they genuinely thought that they were coming to the mother country.

Nowadays there is a narrative around migrants that claims that they do not understand or appreciate British culture, but I am glad to tell the House that no group of migrants was more enthusiastically British than the Windrush generation. Historically, the people of the Caribbean venerated the British royal family. They saw them as their protection from cruel local colonialists.

Ms Abbott: At one and the same time, the Windrush generation were both anti-colonialist but deeply respectful of a range of British institutions, including royalty. It may surprise some Government Members, but if someone meets a West Indian who was educated in the West Indies between the war and asks them to recite some poetry, they will promptly and with enthusiasm recite a piece of Keats or Shelley. That was the nature of the education.

Mr John Hayes: I am in an embarrassing position because I am having, for the second time in a week, to wholeheartedly and enthusiastically agree with everything that the right hon. Lady says—it is doing me no favours on these Benches, I can tell you. She is absolutely perfectly right about that combination. What she just described is one of the most profound things I have heard in this debate, leaving aside what my great friend, the right hon. Member for Tottenham (Mr Lammy), said. The right hon. Lady and I will perhaps disagree about this, but that is why it is so important to discuss the Windrush issue for its own sake. One of the risks of conflating it with the wider debate about EU migrants and so on is to miss the subtlety of the points that she is making.

Ms Abbott: The Windrush generation were both anti-colonialist and devoted to the royal family. As the years turned into decades of their settlement in the UK, their relatives all over the Caribbean had treasured photographs, in pride of place on their mantelpiece, of that generation together with their children in their Sunday best, posed against a country house background in an inner-city photographic studio. These photographs treasured wherever people find them, were testimony to the growing prosperity of the Windrush generation.

As the House has heard, over 1,000 passengers arrived that day. They included a group of 66 Poles whose last country of residence was Mexico. The Poles had been granted permission to settle in this country under the terms of the Polish Resettlement Act 1947, which reflected the Polish contribution to the allied war effort. I will return to that point later, but the Polish settlement shows that there was a time when we were very clear, as a political class, who our true friends are, a time when we recognised our obligations of friendship, and a time when we recognised the valuable contribution that people from other countries make to our society and economy.

I stress that “the Windrush generation” refers not only to the 1,000 people who came off the Windrush but to all the people from the Commonwealth who entered this country between 1948 and 1973. However, the original Windrush generation are passing. Every week I hear of the death of a member of that generation who was a pillar of the community in my younger years. My hon. Friend the Member for Dulwich and West Norwood referred to Len Garrison, but there were many others who were so active and offered such leadership in the 1960s and 1970s.

Let us talk briefly about what the Windrush generation did and contributed. As the House has heard, they came to address a labour shortage. Very many came to work in the national health service, and they helped to build our national health service in its earliest years. My own mother was a pupil nurse, recruited in Jamaica. It was hard, back-breaking work. The nurses often found themselves working the night shift, or the early shift. Very occasionally, patients would refuse to be tended by a black person, but many more appreciated their care and nursing skills. Those women were so proud of their service in the NHS.

Many Windrush-era persons, whether from the Caribbean or elsewhere in the Commonwealth, came to work in transport. There was, for instance, Bill Morris, who rose to lead one of our largest trade unions—the Transport and General Workers Union, as it was then—but who had begun as a bus driver. It is no coincidence that Britain now has both a London Mayor and a Home Secretary whose fathers were bus drivers. Many other members of the Windrush generation worked in manufacturing and light engineering. Some of the most well-established Caribbean communities in London are in parts of London where, after the war, there were ample jobs in light engineering and in factories: areas such as Park Royal, Willesden and Brent, and Hackney Marshes, where the Metal Box factory was.

I must touch on the contribution of the Windrush generation to culture and music. Most people know about the Notting Hill carnival, but if there is a kind of music that I associate with my childhood, it is not just my mother’s beloved Harry Belafonte records, but ska, rocksteady, and the output of Trojan Records. I cannot end this section of my speech about the Windrush contribution without reminding the House of the earliest Members of the Houses of Parliament from the Caribbean: Sir Learie Constantine and Lord David Pitt.
The children and grandchildren of the Windrush generation are also part of this issue. In fact, anyone who came here from the former colonies—from the Commonwealth—before 1973 is here legally, and, in effect, part of the Windrush generation. That applies no matter what part of the Commonwealth they came from—the Caribbean, Africa, India, Bangladesh and many more besides—and it also applies to their children and grandchildren. Many of those people, however, are experiencing difficulties because the immigration department is saying that the immigration position of their parents and grandparents was not resolved.

Now, sadly, I turn to what happened to that Windrush generation after a lifetime of working hard, paying their taxes, bringing up their families, and contributing to a strong and stable society. They were treated shamefully. What was worst for many was not just facing material issues, but being flung into uncertainty and treated like liars. I have convened meetings with them, as has my right hon. Friend the Member for Tottenham, and they have told us that it is being treated like liars about which they feel most bitter. The Home Secretary says that 63 people have been deported, but the final total could be much higher. Our own citizens were deported.

We also still have no information on how many of the Windrush generation have been wrongly detained at immigration detention centres. I know that some have been, because I met them when I visited Yarl’s Wood earlier this year. The Government have provided no answers on how many people have been bullied or threatened into so-called voluntary removals. They admit that some people have been excluded—prevented from returning to their homes and families when they had just been on an overseas trip, perhaps for a wedding, a funeral or a family holiday. The Home Office still cannot tell us how many of those people there are and what it is doing to address their plight.

There are also those who were made unemployed. Perhaps their employer got taken over by a bigger employer and suddenly, after years of working happily, they were asked to produce paperwork that they simply did not have. Others have lost their homes because of the effect on housing benefit, have been refused bank accounts—although I welcome the fact that the Home Secretary has moved to end the closure of bank accounts—although I welcome the fact that the Home Secretary has moved to end the closure of bank accounts, and some of us think it is wrong to talk about the Windrush generation people I have met or tried to help have been completely frustrated by the fact that they had a whole ream of paper showing that they had been paying tax for all these years, but still the Home Office rejected their claim that they had been legally here.

I am afraid to say that this is a product of a system put in place by this Government, and if anyone doubts that, they have to answer this question: who was it who said we would deport first and ask questions later? Was that not announcing in advance that people who were entitled to be here may well be deported and treated as if they were here illegally, and then they could appeal? Anyone who has ever dealt with Home Office appeals procedures must know that that means: the chances of the removal decision being overturned are vanishingly small. Of course, it was the Prime Minister who said we would deport first and have appeals later. Why she was speaking in that mode I cannot say, but some say it was all about chasing UK Independence party votes.

In any event, the Windrush scandal was the consequence. My hon. Friend the Member for Brent Central has, I think, written to the Prime Minister asking whether she was warned. She was warned: I warned her here in this Chamber when we debated the Immigration Act 2014 that the consequence of an Act designed to catch illegal immigrants in its net would be that people who just looked like immigrants would be caught up, and that is what we are seeing with the Windrush scandal.

Looking ahead, the new Home Secretary clearly does not want to go the way of his predecessor, and he clearly wants to put the scandal behind him, but it is a product of policy, not accidents, and that policy will continue to generate scandals for the waves of migrants who came after 1948, all the way up to 1973, and it will draw in broader and broader categories of people from the Commonwealth. This policy will continue to do that until it goes.

The Windrush generation came here to see the mother country. Some came to rejoin the RAF. Others just wanted new and more prosperous lives for themselves.
and their families, and they were what are now sometimes called economic migrants. In coming here, they enriched this country in so many ways: culturally, socially and economically. In our own cafeteria here, one of the most popular dishes, week in and week out, is jerk chicken with rice and peas. I could never have imagined that I would live to see that.

In general, a more diverse society is a more interesting one, a more challenging one and a more prosperous one. There is, however, an unfortunate aspect to this history, as some of my hon. Friends have mentioned. Despite being invited here—my own mother was recruited in the Caribbean—the Windrush generation did not always receive a warm welcome. There is an unfortunate history in this country of sometimes defaulting to seeing categories of good immigrants and bad immigrants. For a long time, anyone from the Caribbean tended to be treated as a bad immigrant, with all the stereotypes that were ascribed to black Britons. I have lived long enough to see things move on, however, and we now sometimes hear people who are happy to say the most vile things about Muslims and eastern Europeans exempting black people from their vitriol. History takes some surprising turns.

The Windrush generation—including people from the Caribbean as well as people from Poland by way of Mexico, and all the people from other countries who got off that ship in 1948—came here for a better life for themselves and their families, and they all made a contribution to what my hon. Friends have said about the importance of establishing a hardship fund. I have met members of the Windrush generation who have had to live off the charity of friends and family and who have run up debts because of all the uncertainty about their immigration situation. We really need a hardship fund to be put in place now. Those people cannot wait for the conclusion of the consultation on compensation. We also need to look at the workings of the Windrush taskforce, to see whether it is meeting the targets that it set itself to resolve cases. Some of the cases that I and my hon. Friends are dealing with seem to suggest that that is not the case. Again, I join other hon. Friends in calling for an official Windrush Day.

Before moving to a close, I want to mention someone who has not received enough public tributes. Patrick Vernon is a social historian and grassroots campaigner, and he has led the campaign for a Windrush Day. I also want to add to what my hon. Friends have said about the importance of establishing a hardship fund. I have met members of the Windrush generation who have had to live off the charity of friends and family and who have run up debts because of all the uncertainty about their immigration situation. We really need a hardship fund to be put in place now. Those people cannot wait for the conclusion of the consultation on compensation. We also need to look at the workings of the Windrush taskforce, to see whether it is meeting the targets that it set itself to resolve cases. Some of the cases that I and my hon. Friends are dealing with seem to suggest that that is not the case. Again, I join other hon. Friends in calling for an official Windrush Day.

Everyone in this House thinks fondly of their parents, but I can speak with confidence on behalf of myself, my hon. Friend the Member for Tottenham (Mr Lammy). I hope to be able to add to what my hon. Friends have said about the importance of establishing a hardship fund. I have met members of the Windrush generation who have had to live off the charity of friends and family and who have run up debts because of all the uncertainty about their immigration situation. We really need a hardship fund to be put in place now. Those people cannot wait for the conclusion of the consultation on compensation. We also need to look at the workings of the Windrush taskforce, to see whether it is meeting the targets that it set itself to resolve cases. Some of the cases that I and my hon. Friends are dealing with seem to suggest that that is not the case. Again, I join other hon. Friends in calling for an official Windrush Day.

Mr Deputy Speaker (Sir Lindsay Hoyle): I call Nigel Adams.

4.44 pm

The Parliamentary Under-Secretary of State for Housing, Communities and Local Government (Nigel Adams): Thank you, Mr Deputy Speaker. It is a great privilege to be at the Dispatch Box for the second time in front of your good self. I thank and commend the hon. Member for Dulwich and West Norwood (Helen Hayes) for securing this fantastic but vital debate. It has been incredibly powerful, and I congratulate all right hon. and hon. Members on sharing stories and memories of their families and those of their constituents. We have had passionate, brilliant and moving contributions not just from the hon. Member for Dulwich and West Norwood, but from my hon. Friends. Friend the Member for Tonbridge and Malling (Tom Tugendhat) and the hon. Members for Glenrothes (Peter Grant), for Bath (Wera Hobhouse) and for Brent Central (Dawn Butler). We also heard, yet again, an incredible speech from the right hon. Member for Tottenham (Mr Lammy). I hope to be able to address some of the points raised in the time that is left.

Seventy years ago, in 1948, Britain had just emerged from an exhausting, destructive but victorious second world war. The country was making key decisions about its future direction, its prosperity and its position in the world. We rose to the challenge in that year by creating the national health service and by hosting the global community at the London Olympic games.

Damien Moore (Southport) (Con): I had the opportunity to learn about the Windrush generation at university. Does my hon. Friend agree that we should give children in schools the opportunity to learn about the contribution that that generation made to this country in getting Britain back up off her knees after the second world war?

Nigel Adams: That is a very fair point. It is incumbent on schools and on teachers to ensure that the Windrush generation is included in the curriculum, because children could learn an awful lot as a result.

As has been discussed today, another seminal and momentous occasion took place as the United Kingdom welcomed the HMT Empire Windrush at the port of Tilbury on 21 June 1948, and what followed the day after has been subsequently and regularly debated in this House. While it should be recognised that black British history does not start with the Windrush, the arrival of 492 West Indians, many of them ex-servicemen and women, has become synonymous with the first wave of mass migration and the beginning of modern British multicultural society. Those people include Alfred Gardiner, who lives up the road from me in Leeds. I understand that he is still going strong at the great age of 92, and I am sure that the whole House sends Alfred its best wishes.
Many from the Windrush generation left their homes to answer the call to come to a strange, foreign and cold land in order to help rebuild the mother country. The welcome for many from that community, and many other communities that followed, was mixed at best. I would not do this debate justice if I did not mention and recognise the struggle to adjust and to put down roots, with many arrivals receiving a hostile reception. A well-documented phrase present outside many houses at the time was “no blacks, no Irish, no dogs”. As a white man brought up here, it is difficult for me to understand how terrible the Windrush generation would have felt as they walked the streets of London and other cities looking for accommodation. Many people have stories about that and other appalling discriminatory times in the UK. The unique challenges for acceptance, integration and recognition were most noticeable in the Notting Hill riots of 1958, the Race Relations Act 1965 and the Scarman and Macpherson reports, to name but a few, and this struggle has come to symbolise part of the story.

Mr John Hayes: Earlier I mentioned the British Caribbean Association, with which a number of Members will be familiar. The association was formed following those riots in Notting Hill in the year of my birth, and it was formed precisely to foster good relations between the indigenous people and those incoming people—people with very much the values the right hon. Member for Hackney North and Stoke Newington (Ms Abbott) tellingly identified in her speech. The welcome those people deserved but did not get does not mean the Government should now take an approach of unrestricted immigration, and it certainly does not mean conflating the Windrush issue with illegal migration. The right hon. Lady is absolutely right that that conflation is very unhelpful, and very unhealthy, too.

Nigel Adams: My right hon. Friend makes an incredibly important point, and the right hon. Member for Hackney North and Stoke Newington (Ms Abbott) made it, too. Conflating the two issues is deeply damaging to this debate, and we all have to be mindful of that.

Nevertheless, the enduring spirit of the Windrush generation to overcome this struggle, hardship and adversity must not be understated or dismissed. This is part of our history, and we should all be proud of the patriotic, courageous men and women who, in spite of adversity, helped to rebuild this country after the war and have therefore enriched us not just economically but culturally and socially.

Several hon. and right hon. Members have rightly mentioned the Grenfell tragedy, which is particularly important today. The Grenfell fire was a terrible tragedy that should never have happened, and today is a time for reflection. My focus, and I am sure the focus of everyone in this House, is firmly on the community who were affected. Today we all remember those who lost their lives and the families and friends who lost loved ones on that terrible day. It is incredibly important that we respect the privacy of the community at this time.

The hon. Member for Dulwich and West Norwood, in her brilliant speech, asked whether we would be announcing an annual Windrush Day, which the right hon. Member for Hackney North and Stoke Newington also mentioned. The United Kingdom has long been a country of inward and outward migration. Post-war immigration, including of people on the Empire Windrush who were at the forefront of that migration, means we are now a richly diverse society. Members of our minority communities have made an enormous contribution to our social, economic and cultural life, and this should be celebrated.

To make sure that we commemorate the Windrush anniversary in the appropriate way, my colleague Lord Bourne has met key figures from community groups over the past few months to decide how best to celebrate it. We thank all those stakeholders for the excellent meetings and for the work they have done together. We are keen to continue these engagements to ensure that our work on the Windrush celebrations extends beyond the 70th anniversary and to ensure a lasting legacy of this celebration of British history.

It is important that we celebrate the contributions of the Windrush generation and their descendants each year, as they are part of what makes us the wonderfully diverse country we are today. Further information will be announced very shortly.

The hon. Member for Dulwich and West Norwood went on to mention the Black Cultural Archives and the funding difficulties it has had. She asked whether we will work with colleagues in the Department for Digital, Culture, Media and Sport on tackling this fantastic facility’s problems. The financial difficulties of the Black Cultural Archives are well known to us, and we agree that more should be done to protect these vital archives. I am pleased to confirm that my colleague Lord Bourne of Aberystwyth has been speaking to colleagues at DCMS on this very issue.

My neighbour the right hon. Member for Normanton, Pontefract and Castleford (Yvette Cooper), who is no longer in her place, asked about her Select Committee’s interim report on the hardship fund for the Windrush generation. We recognise the hardship that some of that generation have suffered, through no fault of their own. Sadly, that Select Committee does not scrutinise my Department, but I assure her that the relevant Department will respond in due course.

The right hon. Member for Tottenham gave a typically passionate and eloquent speech, in which he touched on the shameful practice of slavery. The transatlantic slave trade caused extreme suffering to millions of people, who lost their liberty and were forced to work as slaves. We have expressed our deep sorrow for what happened and fully recognise the strong sense of injustice that remains. We firmly believe that we should always remember history, no matter how difficult that history can be. He also went on to mention the hardship fund for the Windrush generation. He is absolutely right to say that we should design a compensation scheme that effectively addresses the issues faced by the Windrush generation, and to do that we have to listen. The Home Office has completed the call for evidence, which has given individuals and community groups the opportunity to share their stories and experiences.

The hon. Member for Glenrothes had the tricky job of following the right hon. Member for Tottenham, but he made a terrific speech.

Ms Abbott: I understand about the arrangements for compensation, but what about a hardship fund now—an interim hardship fund?
Nigel Adams: We have only a couple of minutes, but I can say to the right hon. Lady that I understand the Home Secretary has written to the right hon. Member for Tottenham to say that the hardship scheme remains under review. I am sure the Home Office will be coming forward with more on that. As I was saying, the hon. Member for Glenrothes made a fantastic speech, referencing his family history.

At this point, I wish to turn to the recent immigration issues faced by the Windrush generation. I would not want anyone who has made their life in the UK to feel unwelcome or be in any doubt about their right to remain here. I wish to conclude in order to give the hon. Member for Dulwich and West Norwood enough time to finish off the debate, so let me turn to what the Government have been doing to celebrate the Windrush generation, as it is also vital that we show our appreciation for what they have achieved.

Lord Bourne responded to a debate in the House of Lords in January to answer the question of what we are doing to support the 70th anniversary. As he said, he has set out to work with stakeholders across the country to ensure that the Government celebrate the anniversary in the most appropriate way. He has done exactly that, meeting the relevant stakeholders. There will also be a suite of events taking place across the country in areas with prominent connections to Windrush, including Hackney, Tilbury and Lambeth.

So in this year of seminal commemorative events, Windrush 70 stands alongside NHS 70 and Vote 100 as a hugely important reminder of the progress and achievements this country has made over the past century. The contribution of the Windrush generation and their descendants to Britain cannot be overstated—we would be much diminished as a country without their presence, and it is vital that we fully recognise the importance of Windrush communities to Britain’s history and present.

4.58 pm

Helen Hayes: I wish to thank Members from across the House for contributing to this debate, but I am particularly grateful to my right hon. Friends for Hackney North and Stoke Newington (Ms Abbott) and for Tottenham (Mr Lammy) and my hon. Friend the Member for Brent Central (Dawn Butler), because their contributions have been not only representation but very powerful testimony.

We are about to embark next week on a fabulous series of celebrations across the country for the 70th anniversary of the arrival of the Empire Windrush. The debate today has set the context for those celebrations very well. It is a context not of sentimentality but of immense gratitude, held in tension with a sense of the injustices, both of the past and of the present.

It is, however, a matter of regret to me that some Members have made mention, again and again, of illegal immigration in this debate. Sometimes, in seeking to draw a distinction repeatedly it is possible to achieve the opposite. This debate was never intended to be, in any way, shape or form, about illegal immigration; it was a debate about celebrating the contribution of the Windrush generation. I welcome very much the encouraging comments of the Minister about Windrush Day and the Black Cultural Archives. I look forward to progressing those ideas with him and, I hope, to hearing more positive announcements next week. Once again, I thank Members, as we enter a period of genuine celebration of, and gratitude for, the contribution of the Windrush generation next week.

5 pm

Motion lapsed (Standing Order No. 9(3)).

PETITION

MenC vaccine

5 pm

Judith Cummins (Bradford South) (Lab): My constituent, one-year-old Kia Gott, was diagnosed with meningitis C in September 2017 and has spent the past nine months in hospital. Her case was described by doctors as “one of the worst cases of meningitis” seen in 25 years. Kia lost all four limbs, may have lost her sight and hearing, and possibly has brain damage. I am pleased to say that Kia is making good progress and has recently returned for a home visit. Her parents, Vikki and Paul, are determined to ensure that no other family faces the awful situation that they have lived through, and are campaigning for a reinstatement of the MenC vaccine for all babies at 12 weeks.

I present this petition on behalf of the 109 people who signed it on paper and the further 5,850 who signed it online. I do so in tribute to the bravery and resilience of Kia’s parents. I hope the Government will listen to their request and give it proper consideration.

The petition states:

The petition of residents of the United Kingdom,

Declares that in March 2016 the Joint Committee of Vaccination recommended that infants aged twelve weeks no longer require the vaccination against meningococcal serogroup C (MenC) due to the success of the immunisation programme that started in 1999; further that from July 2016, the MenC vaccine for twelve week old babies was discontinued from the NHS childhood vaccination programme and further declares that there was a baby girl in Bradford recently left fighting for her life after contracting MenC at the age of ten months and that one case of MenC is one too many.

The petitioners therefore request that the House of Commons urges the Government to reintroduce the MenC vaccine for babies aged twelve weeks.

And the petitioners remain, etc.

[PO02155]
Sound Reading System and Literacy

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

5.2 pm

Anneliese Dodds (Oxford East) (Lab/Co-op): I am grateful to have the opportunity to discuss in the House the sound reading system and describe its promise for improving literacy. The sound reading system was developed in my constituency of Oxford East, and it has shown remarkable results when it comes to enabling children and adults to read, often for the first time. However, its sustainability is in doubt, which is why I am so grateful to the Minister for lending her ear to this Adjournment debate.

There are still worrying levels of illiteracy in Britain and worldwide. Because of the central position of English as a lingua franca, difficulties with literacy in this country are exported beyond our shores. Globally, one in five people cannot read enough to understand a bus timetable or a recipe. Literacy is not only a problem for developing countries: in England, one in seven adults lacks basic literacy skills. Worryingly, the problem appears to be getting worse. A 2016 OECD report indicated that England is the only developed country where late-middle-aged adults perform better in literacy than young adults. In addition, the gap between the highest and lowest-performing readers in England is stark, and the eighth worst of the OECD countries.

I am sure we all know of friends or acquaintances who are clever people but who, for whatever reason, never learned properly to read and have gone to great lengths to try to conceal that in adulthood. Illiteracy imposes a huge cost on society; indeed, it has been estimated that low levels of literacy cost the UK public purse £2.5 billion every year. Of course, the most significant impact is on those who are not fully literate. Language really is power, and those who cannot read properly cannot participate properly in society. It is therefore essential that we take every opportunity to ensure that everyone gets the chance to learn to read and that we do not squander chances to build literacy.

That is where the sound reading system comes in. Remarkably, it has a 100% success rate. That’s right—100%. There are surely very few educational interventions that have had such a proven impact. Children and young people make, on average, two years’ worth of gain in three to four months of tuition under the sound reading system. That is enough catch-up to get back on to the literacy track.

The sound reading system stems from a very simple insight: that written language is confusing to those who are learning how to read and write it. It then develops a straightforward, logical system to ensure that learners are fully conversant with all different variations of language sounds, what they look like on paper and therefore how they can be written, at every single stage of the learning journey.

That appears very obvious, but it actually contradicts how phonics are often taught, which can lead to the phonics system often causing confusion rather than illumination. Fiona Nevola developed the sound reading system in Oxford with Professor Diane McGuinness, Emeritus Professor of Psychology at Florida University and author of much academic research into reading. Fiona showed me the detailed progress that just one child in Oxford had made with the sound reading system, which highlighted how and why they had previously been struggling at school. One very simple example is the confusion that so many children, and indeed adults, have between letters that look very similar—such as b, d and p. Just that type of confusion often leads to labelling children as having problems, rather than ensuring that these letters and their sounds, in different contexts, are fully understood and shifting too quickly on to other sounds. That can begin a downward spiral for many children.

Current systems, whether they use un-contextualised sound cards, memorising whole words, or exposing children to reading texts without specific sounds having been taught and understood already, go directly against the grain of how human beings actually learn. It is for that and other reasons that the philosopher Steven Pinker stated that McGuinness’s work was “part of the solution” to that “story of needless misery and waste” that is modern illiteracy. Similarly, the Dyslexia-Specific Learning Difficulties Trust calls the method “remarkable”.

As I mentioned, the success rate of the sound reading system has been total because it builds understanding from the very beginning and therefore it also works fast. It has been used to teach people to read who were previously believed to be unteachable in primary schools, prisons and community education, in Scotland, England, Namibia and Israel. Teachers who have been trained in the sound reading system have testified to its enormous impact on their pupils’ reading and writing abilities. After being trained in the approach, one teacher with 20 years’ experience said:

“My practice has changed forever...In my experience the strugglers complete other phonic programmes with significant barriers because much of the code has not been adequately revealed or mastered. I also believe that if the whole alphabet code is not revealed, rote learning is inadvertently encouraged. This programme ensures vital knowledge of the code is fixed into memory and strugglers are taught effective strategies to ensure success”.

Many parents have also noted the impact of the programme on their children. One Oxford parent wrote last week that her young son was now learning to read using the sound reading system after having had many previous difficulties, which included anxiety after finding that the phonics programme at his school “didn’t make sense”. The sound reading system programme has helped him immensely, his mother said. There are many other testimonies that I could mention here, but I will not owing to the pressure of time.

Despite the very strong success of the sound reading system, its use is at risk of decline for one simple reason—it is not commercial. Many of us will be aware of different approaches to phonics, which rest on the sale of different materials. Indeed, as a parent of young children, I have used some of them myself. The founders of the sound reading system took a totally different approach. They felt that pushing particular materials would only lead to confusion if it were not backed up with intensive training for the teachers who were going to use these materials with learners. Despite the simplicity of actually teaching the method, the attention to detail is crucial. It is that detail, based on proven research, that matters. The method cannot be fudged and combined with opposite approaches.
Although hundreds of teachers have been trained in the sound reading system, and continue to be trained in it, its continuation rests pretty much on a shoestring. It is supported only by a small trust. That trust, Our Right to Read, was initially managed by Diane McGuinness and Fiona Nevola, but it is now largely driven by Fiona Nevola, my constituent.

There has been a lot of political support for the use of the sound reading system. David Cameron expressed interest in the model when he met those involved in it. Insights from it appear to have informed reviews of how to build literacy. For example, I note that the Rose report, published in 2006, states:

“It is no surprise to find that the main ingredients for success in the teaching of beginner readers are: a well trained teaching force; well designed, systematic programmes of work that are implemented thoroughly”.

However, that commitment to systematic programmes has not translated into practice in many British schools and other educational settings, where a hotch-potch of different approaches is often used, leading learners into confusion and disillusionment. That disillusionment affects learners’ confidence and abilities, and holds many back into adulthood.

The parallels between the sound reading system and another innovation—the daily mile—are striking. Both are inexpensive, non-commercial innovations, both have extremely positive outcomes and both are impelled through the enthusiasm of their founders. But in both cases, although politicians have expressed strong support, that has rarely been translated into concrete action. That action now has to come from central Government. In my experience—and, I am sure, the experience of other Members in this Chamber—local authorities often lack the tools and resources to ensure appropriate training for teachers and the diffusion of innovation. Of course, the system has become much more fragmented with the development of academies, academy chains and so forth. We need action from central Government to ensure that the approach is disseminated. The sound reading system could have a radical impact on British children’s ability to read and write, but its dissemination and diffusion will not just occur on the wind; it will happen only if it is backed up with proper resources.

I understand that the letters and sounds programme was developed by the Department for Education and Skills, and put into all schools in 2007, but it is unclear exactly what the future of this programme is and whether the Department envisages properly supporting more encompassing programmes such as the sound reading system to ensure that children have the benefits of its much more holistic approach. I hope that the Minister will inform us about the future of these phonics approaches and will explain what we can do properly to back the sound reading system—an impressive literacy programme from Oxford—so that we can get to grips with eradicating the scourge of illiteracy from our country. I thank her for listening to my argument.

5.12 pm

The Minister for Apprenticeships and Skills (Anne Milton): I congratulate the hon. Lady on securing this debate.
now take up the entitlement, up from 58% in 2015; 71% of children achieve a good level of development, up from 50% in 2014; and we have closed the gap between children in receipt of free school meals and their peers by two percentage points since 2014.

This week, pupils across England will be taking the light-touch phonics screening check, and we have used that check to measure the improvement over time in pupils’ phonics success. Since its introduction, the proportion of pupils meeting the expected standard in the phonics screening check at the end of year 1 has steadily increased, with 81% of pupils meeting the expected standard in 2017, up from 58% in 2012. I am giving the hon. Lady a lot of figures, but I think they are important because they show that progress is being made. It has to be said that all this is delivered through the very hard work of our good teachers.

An additional 154,000 children are on track to become fluent readers. In 2017, the great majority—89%—of pupils who met the expected standard in the phonics screening check at the end of year 1 went on to reach the expected standard in reading at the end of key stage 1. Getting those fundamentals right at an early age is critical for progressing to reading fluently and for pleasure, which is particularly important to me. Reading well is a good indicator of success in later life.

The results of the 2016 Progress in International Reading Literacy Study—PIRLS—put the success of our increased emphasis on phonics and our continued focus on raising education standards on a global scale. England’s nine-year-old pupils achieved their highest average score since PIRLS began, and we rose up the rankings from joint tenth in 2011 to joint eighth. That is to be commended. The pupils who took part in the study are the first to be assessed since Government education reforms in 2010 that saw the introduction of the more rigorous, knowledge-rich primary school curriculum introduced in 2014.

However, despite the very real and measurable progress, more must be done and, backed by a £26.3 million investment, we are creating a national network of 35 English hubs, and a centre of excellence for literacy teaching to improve literacy across England. It is up to schools to choose the approach and programme that is right for them and their pupils within this framework. I understand that the sound reading system, the programme championed by the hon. Lady, incorporates training alongside its teaching materials, as she described so well. This is good, and indeed, a number of the more widely used phonics programmes do this. A wide range of commercial products is available, and schools should choose the product that best meets their needs and those of their pupils.

Anneliese Dodds: I am grateful to the Minister for her very helpful remarks. However, the point I was trying to make about the sound reading system is precisely that it is not commercial. It does not have the commercial firepower behind it that is needed for its dissemination, yet it produces incredibly strong results. What more can we do to promote not-for-profit approaches, such as the sound reading system?

Anne Milton: There are a number of imaginative ways of promoting the success of not-for-profit systems, and in holding this debate the hon. Lady has taken one of the first steps. There are 650 Members in the House, and as I always say when talking about apprenticeships and skills, those 650 people can spread good practice and good work. Members of Parliament have good access to their local schools—we all enjoy going into our primary schools—so that is an opportunity to promote the sort of products the hon. Lady is talking about.

As I was saying, there is wide range of commercial products, but I know that my right hon. Friend the Minister for School Standards is very happy to meet the hon. Lady’s constituent to discuss her phonics programme. I am sure he will be extremely interested to do that. The Government have to be careful not to endorse specific publishers or products, but as long as this programme meets the core criteria, there will be plenty of opportunities for the hon. Lady to promote its benefits.

I mentioned earlier that we initially turbo-charged phonics with over £23 million of funding between 2011 and 2013, but let me add a word about resources. This tends to be rather sterile ground, but it is important to say that a number of initiatives are going on. We provide funding to make sure that schools across England are supported to teach phonics. In response to the 2015 screening check results, the Government have since funded Ruth Miskin Training and the University of Reading to deliver 36 events to share best practice in the teaching of phonics.

The most recent roadshows—late last year and early this year—were held in areas where the results in the phonics screening check were low and in the 12 opportunity areas. The roadshows incorporated practical observations of phonics lessons, and the provision of theory and advice about how best to organise, structure and approach teaching systematic synthetic phonics most effectively. This is very important in areas—the opportunity areas—where there are more children from disadvantaged backgrounds, because if we do not get this right at an early age, all we will do is embed the inequalities we are seeing not only in schools, but in communities, and which children take with them throughout the rest of their lives.

In 2017, we funded nine phonics partnerships, where schools excelling in systematic phonics teaching work with partner schools to spread good practice. These funded partnerships showed an improvement in nearly 80% of the schools that were supported. We are currently inviting applications from eligible schools for them to apply to lead phonics partnerships for this financial year to support effective phonics teaching in schools. We also plan to fund another 20 partnerships during this financial year.

In addition, funding for improving the teaching of phonics has been made available through the teaching and leadership innovation fund and the strategic school improvement fund. Ruth Miskin Training, through a project worth £1 million, is delivering a whole-school literacy professional development programme to support systemic synthetic phonics teaching in priority schools over the next three financial years.

To date, we have also funded a total of 17 strategic school improvement fund projects that include phonics. These projects have been awarded nearly £6 million in grant funding. For example, since December 2017, the Excalibur Teaching Schools Alliance has upskilled 22 teachers to become specialist leaders of education in
phonics who have been matched to support 104 phonics champions in 52 schools. As a result, it is expected that, by June 2019, 85% of reception and year 1 children in the supported schools will achieve the expected standard in phonics.

As I say, the Government do not endorse specific products. My main responsibilities are apprenticeships and skills, and I am also involved in the introduction of the T-levels. I have seen a lot of young people who need to be given a second, a third, sometimes a fourth, sometimes a fifth chance, and it is not just young people; it is young and older adults for whom school simply passed them by, in large part, in my view, because they missed out on those critical early phases in their education. It did not matter what history, geography or science they were taught—if they could not understand, if they did not have those basic literacy skills, everything someone attempted to teach them thereafter was completely lost.

For me, this is definitely about social mobility. Learning to read and write is probably the best springboard from which to launch a successful career and open up opportunities that perhaps a person’s family and those living around them did not have. My right hon. Friend the Minister for School Standards is doing his bit at his end to make sure that in 16 years the Apprenticeships and Skills Minister—it is unlikely I will still be in that position, but you never know—will have a much easier job and will be able simply to pick up these excellent young people who have achieved at school and understand the world around them. I was previously public health Minister, and I remember negotiating at the Health Council of the European Union on front-of-pack food labelling. We have an obesity problem in this country, and all that information is utterly lost to far more adults than it should be simply because they cannot read the information on the pack in front of them.

In conclusion, our support for the effective teaching of phonics in early-years settings and schools is based on a firm body of evidence, and it is working, as is shown by the phonics screening check and the PIRLS results, but there is more work to be done. That is why we are setting up a national network of English hubs supported by a new centre of excellence. This will enable schools that need support to get it in a way that works for them, complementing the national funding I have described. Schools can work collaboratively, sharing experience, knowledge and expertise with the support of high-quality, evidence-based resources. That is key to improving pupils’ literacy and enjoyment of reading across the whole of their school careers, from early years into adulthood.

Finally, I congratulate the hon. Lady on raising an issue that possibly does not get as much attention as it should in the House. The impact of being unable to read and write is perhaps lost on many Members as we talk about the sort of subjects we have discussed at length this week, but it is critical if we want to make sure that, whoever you are, whatever your background, wherever you come from, wherever you were born, whoever you know, you have the same opportunities in life as those of us who have possibly been more privileged.

Question put and agreed to.
5.29 pm
House adjourned.
House of Commons

Friday 15 June 2018

The House met at half-past Nine o’clock

PRAYERS

[Mr Speaker in the Chair]

9.34 am

Mr Steve Reed (Croydon North) (Lab/Co-op): I beg to move, That the House sit in private.

Question put forthwith (Standing Order No. 163), and negatived.

Mental Health Units (Use of Force) Bill

Consideration of Bill, as amended in the Public Bill Committee

New Clause 1

INDEPENDENT INVESTIGATION OF DEATHS

“(1) A registered manager must within seven days of becoming aware of a death to which this section applies notify the Secretary of State in writing of that death.

(2) This section applies to a death if—

(a) the death occurred during, or as a result of, the use of
force on the deceased patient, and
(b) the use of force occurred at a mental health unit managed by the registered manager.

(3) On being notified of a death, the Secretary of State must appoint an independent person—

(a) to investigate the circumstances of the death, and
(b) to prepare a report regarding that death.

(4) A person appointed under this section must be independent of the NHS and of private providers of mental health services.

(5) A person appointed under this section must provide a report within three months of that appointment.

(6) The Secretary of State must within 14 days of receiving the report publish—

(a) the report, or
(b) a statement that a report under this section has been received.

(7) The Secretary of State may only publish a statement under subsection (6)(b) if satisfied that the publication of the report would be contrary to the public interest, which includes causing prejudice to—

(a) any potential or ongoing court proceedings,
(b) the conduct of a senior coroner’s investigation under Part 1 of the Coroners and Justice Act 2009.

(8) A statement published under subsection (6)(b) must include—

(a) the name and date of birth of the deceased,
(b) the date and place of the death,
(c) the place at which the use of force occurred, if different from the place of the death,
(d) the identity of the registered manager in relation to the mental health unit, and
(e) how the publication of the report would, in the opinion of the Secretary of State, be contrary to the public interest.

(9) The Secretary of State must publish the report as soon as practicable upon the conclusion of the proceedings or investigation.”—[Mr Reed.]

Brought up, and read the First time.

9.35 am

Mr Steve Reed (Croydon North) (Lab/Co-op): 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 2—Independent investigation of deaths: legal aid—

‘(1) Schedule 1 to the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (civil legal services) is amended as follows.

(2) After paragraph 41 (inquests) insert—

“41A Investigation of deaths resulting from use of force in mental health units

(1) Civil legal services provided to an individual in relation to an investigation under section (independent investigations of deaths) of the Mental Health Units (Use of Force) Act 2018 (independent investigation of deaths) into the death of a member of the individual’s family.

(2) For the purposes of this paragraph an individual is a member of another individual’s family if—

(a) they are relatives (whether of the full blood or half blood or by marriage or civil partnership),
(b) they are cohabitants (as defined in Part 4 of the Family Law Act 1996), or
(c) one has parental responsibility for the other.’

Amendment 86, in clause 1, page 1, line 13, leave out sub-paragraph (ii).

Amendment 87, page 1, line 15, leave out subsection (4).

Amendment 44, page 2, line 3, leave out “force” and insert “restraint”.

Amendment 40, page 2, line 4, after “use” insert “or threat”.

This amendment, together with Amendments 41 to 43, would extend the definition of the use of force for the provisions in the Bill to cover threats of the use of force and coercion.

Amendment 88, page 2, line 4, leave out “mechanical or chemical” and insert “or mechanical”.

Amendment 89, page 2, line 5, leave out paragraph (b).

Amendment 41, page 2, line 5, after “isolation” insert “or threat of isolation”.

See explanatory statement for Amendment 40.

Amendment 42, page 2, line 5, at end insert “or coercion of a patient.”

See explanatory statement for Amendment 40.

Amendment 90, page 2, leave out lines 14 and 15.

Amendment 91, page 2, leave out lines 16 and 17.

Amendment 43, page 2, line 17, at end insert—

“‘Coercion’ means the use or threat of force, with the intention of causing fear, alarm or distress to control a patient’s behaviour or elicit compliance with the application of a use of force.”

See explanatory statement for Amendment 40.

Amendment 92, in clause 2, page 2, line 20, leave out “a relevant” and insert “any”.

Amendment 93, page 2, line 23, leave out “relevant”.

Amendment 94, page 2, line 25, leave out “relevant”.
Amendment 45, page 2, line 30, clause 3, leave out “force” and insert “restraint”.
Amendment 95, page 2, line 32, leave out “relevant”.
Amendment 37, page 3, line 2, at end insert—

‘(6A) A policy published under this section must set out that the use of force will only be used without the sole intention of inflicting pain, suffering or humiliation, or subjecting patients to tortuous, inhumane or degrading treatment, or without inflicting punishment or intimidation.”

This amendment would prevent the use of force with the sole intention of causing suffering or harm to a patient, in line with the Mental Health Act code of practice and the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

Amendment 36, page 3, line 3, leave out from “out” to end of line 4 and insert—

“(a) a description of each of the methods of restraint that may be used in the mental health unit;
(b) what steps will be taken to reduce and minimise the use of force in the mental health unit by staff who work in the unit;
(c) a description of the techniques to be used for avoiding or reducing the use of force in the mental health unit by staff who work in the unit; and
(d) a commitment to reducing the overall use of force in the mental health unit.”

This amendment would require mental health units to commit to reducing the overall use of force, and increase transparency about how they intend to achieve this and what types of force they permit.

Amendment 46, page 3, line 4, leave out “force” and insert “restraint”.

Amendment 47, in clause 4, page 3, line 7, leave out “force” and insert “restraint”.

Amendment 38, page 3, line 8, at end insert—

‘(1A) Information under subsection (1) must include a patient’s right to advocacy and how to access an advocate.”

This amendment would ensure that people’s legal rights to advocacy, under existing provisions, are communicated to them in relation to the use of force.

Government amendment 1, page 3, line 16, at end insert—

“unless the patient (where paragraph (a) applies) or the other person (where paragraph (b) applies) refuses the information.”

This allows for cases where a person refuses the information provided, and supersedes subsections (9)/(a) and (10)/(a).

Government amendment 2, page 3, line 22, leave out subsection (5) and insert—

‘(5) The responsible person must take whatever steps are reasonably practicable to ensure that the patient is aware of the information and understands it.”

This expands the duty to provide information accessibly so that it requires the responsible person to take whatever steps are reasonably practicable to ensure the patient understands.

Government amendment 3, page 3, line 33, leave out subsections (9) and (10).

Subsections (9)/(a) and (10)/(a) are superseded by Amendment 1. Subsections (9)/(b) and (10)/(b) are unnecessary as the information will not be of a nature that would cause distress.

Amendment 96, page 3, line 36, leave out “the responsible person considers that”. Amendment 97, page 3, line 42, leave out “the responsible person considers that”.

Amendment 48, in clause 5, page 4, line 3, leave out “force” and insert “restraint”.

Amendment 79, page 4, line 3, at end insert—

‘(1A) The Secretary of State must publish quality standards for training provided under subsection (1).
(1B) The Secretary of State may delegate the publication of quality standards for training under subsection (2).”

This amendment would require training on the use of force to comply with quality standards.

Amendment 98, page 4, line 6, after “patients” insert “and their families”.

Amendment 99, page 4, line 9, leave out paragraph (c).

Amendment 49, page 4, line 11, leave out “force” and insert “restraint”.

Amendment 50, page 4, line 12, leave out “force” and insert “restraint”.

Amendment 80, page 4, line 13, at beginning insert “trauma-informed care, including”

This amendment, together with Amendment 81, would ensure that training requirements for staff include training on trauma-informed care.

Amendment 81, page 4, line 14, at end insert “and the impact of the use of force on a patient who may have experienced violence and abuse.”

See explanatory statement for Amendment 80.

Amendment 51, page 4, line 15, leave out “force” and insert “restraint”.

Amendment 52, page 4, line 16, leave out “force” and insert “restraint”.

Amendment 99, page 4, line 18, leave out “the principal”.

Amendment 10, page 4, line 18, leave out “or ethical”.

Amendment 53, page 4, line 18, leave out “force” and insert “restraint”.

Amendment 11, page 4, line 18, at end insert—

“(l) the roles, responsibilities and procedure in the event of police involvement.”

Amendment 12, page 4, line 18, at end insert—

“(m) awareness of acute behavioural disturbance.”

Government amendment 4, page 4, line 30, leave out “meets the standards of” and insert “is of an equivalent standard to”

This is a small drafting change that clarifies that training does not need to be provided under Clause 5 if training that was recently provided was of an equivalent standard to the training provided under that Clause.

Amendment 13, page 4, line 31, leave out subsections (5) and (6).

Amendment 100, page 5, line 8, clause 6, at end insert—

‘(7) Guidance under this Act shall be published no later than six months after this Act is passed.”

Government motion to transfer clause 6.

Amendment 101, in clause 7, page 5, line 11, after “any” insert “significant”.

Amendment 54, page 5, line 12, leave out “force” and insert “restraint”.

Amendment 39, page 5, line 13, leave out subsections (2) and (3).

This amendment would improve transparency and accountability about the use of force by ensuring consistency in the recording of all uses of force, not just those that are above a threshold to be set in statutory guidance.

Amendment 102, page 5, line 13, leave out subsection (2).
Amendment 55, page 5, line 13, leave out “force” and insert “restraint”.
Amendment 14, page 5, line 13, at end insert “or does not involve physical contact”.
Amendment 103, page 5, line 14, leave out subsection (3).
Amendment 56, page 5, line 14, leave out “force” and insert “restraint”.
Amendment 104, page 5, line 17, leave out subsection (4).
Amendment 57, page 5, line 20, leave out “force” and insert “restraint”.
Amendment 58, page 5, line 21, leave out “force” and insert “restraint”.
Amendment 59, page 5, line 22, leave out “force” and insert “restraint”.
Amendment 60, page 5, line 23, leave out “force” and insert “restraint”.
Amendment 61, page 5, line 25, leave out “force” and insert “restraint”.
Amendment 62, page 5, line 26, leave out “force” and insert “restraint”.
Amendment 63, page 5, line 28, leave out “force” and insert “restraint”.
Amendment 64, page 5, line 31, leave out “force” and insert “restraint”.
Amendment 15, page 5, line 33, leave out paragraph (k).
Amendment 65, page 5, line 36, leave out “force” and insert “restraint”.
Amendment 66, page 5, line 38, leave out “force” and insert “restraint”.
Amendment 67, page 5, line 39, leave out “force” and insert “restraint”.
Amendment 68, page 5, line 40, leave out “force” and insert “restraint”.
Amendment 21, page 5, line 41, at end insert—
“(q) the relevant characteristics of the staff involved (if known)”
Amendment 16, page 5, line 43, at end insert—
“(6A) Records must also be kept in the patient’s medical notes.”
Government amendment 5, page 6, line 5, leave out “made by or under the Data Protection Act 1998” and insert “of the data protection legislation”
Amendments 5 and 6 are consequential on the Data Protection Act 2018.
Government amendment 6, page 6, line 6, at end insert—
“(1) In subsection (8) “the data protection legislation” has the same meaning as in the Data Protection Act 2018 (see section 3 of that Act).”
Amendments 5 and 6 are consequential on the Data Protection Act 2018.
Amendment 17, page 6, line 7, leave out subsections (9) and (10).
Amendment 22, page 6, line 7, leave out from “(5)(k)” to “mean” and insert “(5)(k) and (q) the ‘relevant characteristics’ in relation to a patient and member of staff”
Amendment 23, page 6, line 8, leave out “the patient’s” and insert “their”.
Amendment 24, page 6, line 9, leave out “the patient has” and insert “they have”.
Amendment 32, page 6, line 11, leave out paragraph (c).
Amendment 25, page 6, line 11, leave out “the patient’s” and insert “their”.
Amendment 26, page 6, line 12, leave out “the patient is” and insert “they are”.
Amendment 33, page 6, line 13, leave out paragraph (e).
Amendment 27, page 6, line 13, leave out “the patient’s” and insert “their”.
Amendment 34, page 6, line 14, leave out paragraph (f).
Amendment 28, page 6, line 14, leave out “the patient’s” and insert “their”.
Amendment 29, page 6, line 15, leave out “the patient’s” and insert “their”.
Amendment 35, page 6, line 16, leave out paragraph (h).
Amendment 30, page 6, line 16, leave out “the patient’s” and insert “their”.
Amendment 69, in clause 8, page 6, line 21, leave out “force” and insert “restraint”.
Amendment 70, page 6, line 22, leave out “force” and insert “restraint”.
Amendment 31, page 6, line 26, leave out “and (n)” and insert “(n) and (q)”.
Amendment 71, in clause 9, page 6, line 33, leave out “force” and insert “restraint”.
Amendment 72, page 6, line 35, leave out “force” and insert “restraint”.
Amendment 82, page 6, line 39, at end insert—
“(2A) The report published under subsection (2) must make reference to the annual statistics published under section 8.”
This amendment, together with Amendments 83 to 85, would improve accountability and transparency in the progress towards reducing the overall use of force.
Amendment 83, page 6, line 39, at end insert—
“(2B) The Secretary of State must make a statement to Parliament, as soon as practicable following the publication of the report under subsection (2).”
See explanatory statement for Amendment 82.
Amendment 84, page 6, line 41, leave out “and”.
See explanatory statement for Amendment 82.
Amendment 85, page 6, line 41, at end insert “and the statement under subsection (2B).”
See explanatory statement for Amendment 82.
Amendment 73, page 7, line 2, leave out “force” and insert “restraint”.
Amendment 18, in clause 12, page 7, line 38, leave out “must take” and insert “should consider taking”.
Amendment 19, page 8, line 2, leave out “must wear it and” and insert “should wear it and try to”
Amendment 20, page 8, line 6, leave out subsections (4) and (5).
[Mr Speaker]

Government amendment 7, in clause 13, page 8, line 32, leave out
"has the meaning given by section 2"
and insert
"means a person appointed under section 2(1)"

This improves the drafting of the definition of “responsible person”.

Amendment 74, page 8, line 42, leave out “force” and insert “restraint”.

Amendment 75, page 8, line 43, leave out “force” and insert “restraint”.

Amendment 76, page 8, line 46, leave out “force” and insert “restraint”.

Government motion to transfer clause 15.

Amendment 77, in clause 17, page 9, line 24, leave out “Force” and insert “Restraint”.

Amendment 78, in title, line 2, leave out “force” and insert “restraint”.

Government amendment 8, line 2, leave out “and similar institutions”.

This removes from the long title a reference to “similar institutions” as these are not covered by the Bill.

Mr Reed rose—

Philip Davies (Shipley) (Con): On a point of order, Mr Speaker. I am sorry to interrupt the hon. Member for Croydon North (Mr Reed), but I want to raise a matter of some importance. Also, I am sorry that I have not given you advance notice of this.

Mr Speaker, you are well regarded for your reputation of championing the rights of Back Benchers, but it has become apparent over the past few days that the rights of Back Benchers in this House are being massively curtailed. The deadline for tabling amendments for Fridays is Tuesday evening, which gives people the opportunity to consider the amendments that have been tabled. The timescale is the same for every Bill’s Report stage.

It has become apparent over the past day or so that the Government have a policy of saying that they will not agree to any amendments tabled unless they have at least eight days in which to consider them and to do a write-round of all Departments. That means that no Back Bencher has an opportunity to have any amendments that they table on Report accepted—the Government will automatically not accept those amendments because they have not had time to consider them. This means that the rights of Back Benchers are being massively curtailed, and also that laws will be passed that are not fit for purpose, because amendments that would otherwise have been accepted by the Government will not have been accepted. Will you look into this matter, Mr Speaker?

It seems to me that if Back Benchers are to have the opportunity to get their amendments accepted, we will need a new regime under which they will have to be tabled at least eight days before a Bill is considered; otherwise, we will have no chance. That would mean that the business of the House would have to be brought forward. Can you also confirm that, for anyone who has taken the time to table amendments to improve this Bill, the only way to have their amendments properly considered would be to ensure that we did not get to the end of our debate on these amendments today, meaning that proceedings would have to be rescheduled for a subsequent day, as that would give the Government time to consider whether to accept the amendments? Is that the only course of action open to a Back Bencher who has spent lots of time trying to improve the legislation?

Mr Speaker: I am grateful to the hon. Gentleman for his point of order, which is a source of some concern to me. Off the top of my head, it seems important to distinguish between two not altogether unrelated but, in important senses, separate matters. One is the question of the selection of amendments; the other is the question of the House’s treatment of them and the opportunity for treatment of them.

So far as selection is concerned, that is, as the hon. Gentleman knows, a matter for the Chair, and I will go about my duty in this matter the way that I have always done. I hope that I do this dispassionately but with a regard for Back Benchers. He and other colleagues will have discovered over the years that the views of the Government are not a matter of any particular interest or concern to me. If I think something should be selected, it will be selected.

Secondly, the hon. Gentleman will probably not be entirely surprised to know that I was not aware of any new intended arrangements being drawn up for the administrative convenience—I use that term non-pejoratively—of the Executive branch. That is not something of which a Whip has notified me. The Government might well think it most convenient to have rather longer, for the reasons that the hon. Gentleman has adduced, but it is not something of which I have been made aware. I think it would be useful to have knowledge of such a matter, but I do not think that anything can be done today. However, it would be a pity if Back Benchers were hampered in any way.

I would just add that in my limited experience—like the hon. Gentleman, I have never served in government, which I say as matter of some considerable pride—Governments are perfectly capable of operating quickly when it is convenient for them to do so, and of operating at a more leisurely pace when it is convenient for them to do so. If the hon. Gentleman is asking whether I have managed to discern the mindset of the Treasury Bench, I can say only two things. First, I have been here only 21 years, which is quite a short time in which to try to discern the mindset of those on the Treasury Bench. Secondly, if the hon. Gentleman were to think that I did understand fully the mindset of those on the Treasury Bench, he would be attributing to me an intellectual weight that I do not claim for myself.

If there are no further points of order for now, perhaps we can proceed with the oration of Mr Steve Reed.

Mr Reed: Thank you, Mr Speaker. I have sympathy for what the hon. Member for Shipley (Philip Davies) said, but I hope that during today’s debate we will find ways of achieving the objectives of his constructive amendments.

The Bill is known as Seni’s law after Seni Lewis, a young man from Thornton Heath in my constituency who died in 2010 after a period of severe and prolonged face-down restraint. Seni is one of too many people who have suffered unnecessary and avoidable deaths in our mental health services, and that comes alongside
any number of unnecessary and avoidable injuries. Following the inquest into Seni’s death, the coroner’s verdict was clear: that, without change, what happened to Seni will happen again, and it has already happened to others. That change is this Bill, and I am grateful for support from Members on both sides of the House, the Minister and every single professional and patient advocacy group working in the sector.

New clause 1 is probing. It arises from the fact that Seni Lewis’s parents, having suffered the trauma of the loss of their child in completely avoidable circumstances in 2010, had to fight the state for seven years simply to obtain an inquest to find out how their previously healthy 21-year-old son ended up dead on the floor in hospital. The coroner pointed to severe failings by the mental health trust, the police and the Crown Prosecution Service that led to delays in that inquest opening. The root cause of the problem was the insufficiently independent investigation conducted by the mental health trust into its own failings. The answer is to ensure that any death in such circumstances automatically triggers a fully independent investigation into the circumstances and causes of that death, with legal aid provided to the families of the deceased persons so that there is a level playing field for all parties taking part in the inquest.

Currently there is a huge disparity between how investigations are conducted for deaths in mental health units and those in other forms of state detention. When somebody dies in police custody, an external investigation by an independent national body happens automatically, but the same does not happen in a mental health setting. If a patient dies, the trust or private provider investigates itself or appoints another trust or individual to do so. That lack of accountability means that reports can be delayed or kept quiet, and can lack the necessary independence and rigour.

Jeremy Quin (Horsham) (Con): I congratulate the hon. Gentleman on the progress of the Bill, which I hasten to say that I support, but I have a concern about new clause 1. I appreciate that he has tried to address it in subsection (7), which aims to avoid conflict with the coroners, and he may have dealt with my concern, but I was worried about the interaction between the new independent report, the coroner’s work and the work of the police, if that is relevant. The hon. Gentleman referred to the external reports produced in other custodial circumstances, so is he able to reassure the House that, were this proposal to go ahead, there would be no conflict between the different authorities: the coroner, the police and the author of the independent report that goes to the Secretary of State?

9.45 am

Mr Reed: The hon. Gentleman raises an important point, and I look forward to the comments of the Under-Secretary of State for Health and Social Care, the hon. Member for Thurrock (Jackie Doyle-Price). It is important that there is consistency across all forms of state detention so that those who suffer traumatic circumstances, or even death, are treated in the same way.

If lessons are not learned from such incidents, the chance to prevent further deaths is missed, and we end up with a series of what look like isolated tragic incidents, such as Seni’s death, that are actually part of a wider institutional problem that has not been recognised and therefore not dealt with. It is unacceptable that institutions responsible for the care of patients suffering from mental ill health are subject to less scrutiny than institutions that detain criminal suspects and prisoners. It is no wonder that the casework of the campaigning charity Inquest, which works with bereaved families, shows that so many people who rely on such services no longer have confidence in them.

Another barrier to justice for families is funding for legal representation. Dame Elish Angiolini’s excellent report concluded last year that “families face an intrusive and complex mechanism for securing funding”, because there “is no legal aid for inquests other than in exceptional circumstances”. The Angiolini report recommended that legal aid should be awarded to families in the case of deaths in police custody. The Government have accepted that there is a need to look at that in the Lord Chancellor’s review and, in the spirit of consensus that has characterised the development of the Bill, I would welcome an update from the Minister on what work is being done on that. It makes little sense not to extend legal aid to situations in a mental health unit, because we need consistency across all forms of state custody. The families of patients should certainly not be disadvantaged compared with other bereaved families, and new clause 2 would ensure that legal aid is available to family members in relation to an investigation of an unnatural death in a mental health unit.

I will briefly address some of the amendments tabled by the Government, the hon. Members for Shipley and for Christchurch (Sir Christopher Chope), and the right hon. Member for North Norfolk (Norman Lamb). I welcome their efforts to strengthen the Bill, which has progressed through the Commons with a real sense of consensus, both from the Minister, and from every professional body and patient advocacy active in the sector. It is important that such work continues during the Bill’s remaining stages and beyond.

On the scope of the Bill and which mental health units it applies to, the hon. Member for Christchurch tabled amendments 86, 87 and 92 to 95, which would extend the Bill’s scope to cover all independent providers of mental healthcare. The principle behind the amendments seems sound, because every patient, whether NHS or private, should be protected by the same rights. However, I know that the Minister has some concerns about the practicalities of extending the Bill’s scope in that way, not least about how wholly private providers would report data through NHS Digital and the limits of statutory guidance in that respect, so I look forward to her comments.

Norman Lamb (North Norfolk) (LD): Does the hon. Gentleman share my view that whether the measure gets into the Bill or not, we need to reach a point at which data is provided from private providers and from the NHS in exactly the same way so that we can compare how people are treated on both sides of the divide?

Mr Reed: I absolutely agree. The Bill sets up a process and attempts to change the culture of the services, and I hope that the Bill’s successful passage will not be the end of that process. The right hon. Gentleman’s point needs to be taken into account.
Mr Reed: As the Minister is present, it is probably best to allow her to speak for herself, rather than for me to attempt to interpret this on her behalf.

I wish to turn next to the amendments tabled by the right hon. Member for North Norfolk, many of which I support in principle, having raised a number of them myself at previous stages. I am broadly satisfied that many, if not most, of the points will be dealt with through guidance issued by the Department after the legislation, but I look forward to the Minister’s further comments and explanations on those points.

Important additions have been made to what falls under the definition of “use of force” as this Bill has developed. One is the use of “chemical restraint”, which amendments 88 to 91, standing in the name of the hon. Member for Christchurch, would remove from the Bill. I am afraid that I cannot support those amendments, because the potential effect is that the Bill could limit the use of physical restraint, only to lead instead to an increase in the use of medication—for example, rapid tranquilisation. It is important therefore that the Bill covers all forms of restraint, both physical and chemical.

Sir Christopher Chope: I tabled these amendments on the basis of a sad, current constituency case involving the parents of a very ill young man of 25. He is in and out of a mental health unit, and normally he is in there because he has failed to take his medication. It is designed to reduce the need for force, because he would be violent without it. Surely, the giving of such medication to a person in the circumstances I have described should not be regarded as “force” under the Bill.

Mr Reed: I hear what the hon. Gentleman is saying, but the point remains: if we take measures to deal with only physical restraint but not chemical restraint, we may simply push the services to use chemical restraint, such as rapid tranquilisation, more frequently and we would not wish to see that as an unintended consequence of amending the Bill further.

On the nature of the use of force, the hon. Member for Shipley has tabled amendments 44 to 78, which would replace the word “force” with the term “restraint” throughout the Bill. I do not wish to pre-empt his reasons for doing that, and I suspect he will explain himself well later this morning, but let me say that we used the term “restraint” rather than “force” during an earlier draft of the Bill, so I agree with the general intention behind these amendments. I was persuaded, however, that the current wording ensures greater consistency with other legislation and therefore that the Bill does not run the risk of adding confusion into how the professionals interpret the language used.

The right hon. Member for North Norfolk has tabled a number of amendments dealing with the information provided to patients. Amendment 38 would include in the information given to patients details of their right to independent advocacy, which would help the patient to make the right decisions about their care and involve, where appropriate, carers and families. I certainly agree on the need to give more power to service users, so I would gently encourage the Minister to set out how those objectives might be achieved.

The Bill, as amended in Committee, says that information does not need to be provided where it would “cause the patient distress”. I understand that the hon. Member for Christchurch also has concerns about that, which is why both he and the right hon. Gentleman have tabled amendments to remove that potential loophole. I agree on this, and following discussions with the Minister, I am happy to accept Government amendments 1 to 3, which remove this “distress” loophole.

On staff training, the hon. Member for Shipley has tabled amendments 11 and 12, which seek to strengthen the Bill by adding usefully to the list of training topics. I know that he has discussed the Bill with his local care trust, and I welcome that spirit of engagement and representation. Amendment 11 would require training to be given on “roles, responsibilities and procedure” if the police are called to a mental health unit, as happened in the case of Seni Lewis and in many others. That strikes me as a sensible addition to the Bill, ensuring a more joined-up approach between police officers and staff in mental health units. Amendment 12 would also strengthen the Bill. It would add “awareness of acute behavioural disturbance” to the list of training topics. That is clearly a valuable thing for staff to be aware of in terms of how restraint may affect someone displaying behavioural disturbance. I support amendments 11 and 12, but before accepting them, it is important to hear whether the Government intend to deal with them through guidance.

There are, however, amendments that I am not happy to accept. Amendment 9 would remove the need for training on diversity, but that is a crucial part of the improved training and it goes to the heart of the Bill’s purpose in ensuring equal treatment for everybody by identifying those areas where treatment is not being delivered equally to everybody, whether because of ethnicity, type of disability or gender. If we do not capture that data, we cannot see the problem, and if we do not recognise the problem, we cannot put in place the measures to deal with it. Therefore, I cannot support that amendment.

Jeremy Quin: I wonder whether the hon. Gentleman has any thoughts on amendment 113, which I do not think will be debated. It was tabled by my hon. Friend the Member for Witney (Robert Courts) and it seeks to define what “regular intervals” are and whether there should be annual training. At the moment, the training is to be given at “regular intervals”, so does the hon. Gentleman have any thoughts on how regular those intervals should be and whether there should be an annual stipulation?

Mr Reed: I agree with the sentiment, but I do not think that the Bill should be too prescriptive. It is for the Government, working with professionals in the field, to determine the appropriate period within which refresher training should take place. However, it should definitely take place, because training done several years previously can easily be forgotten or the circumstances can change. There is always a need to keep professional practice absolutely up to date.
Research shows that there are real fears about unconscious bias in our mental health services. The Angiolini review, published by the Government last year, shows how a disproportionate number of people from black, Asian and minority ethnic communities have died after the use of force in custody. Black people are four times more likely to be sectioned than white people. Training must reflect these challenges and consideration must be given to the effects of that kind of unconscious bias.

There are also concerns, as shown in amendment 13, proposed by the hon. Member for Shipley, about the frequency with which staff receive training—indeed that point has just been made in this debate. The principle of refresher training is important and the Bill deliberately does not specify how often it is provided, as that needs to be up to the Government, in consultation with professionals. I welcome and accept Government amendment 4, which ensures that training need not be undertaken by a member of staff if they have recently been trained to an equivalent standard.

Turning to the recording of data, the Bill sets out what should be recorded by mental health units when using force and this is how trusts are expected to record for the types and frequency of restraint used, as well as which patients they use it on. A number of amendments have been tabled on this issue, and I will deal with a few of them. I appreciate that there is concern about the provision in clause 7(2), which provides that the use of “negligible” force does not have to be recorded; amendments 102, 103 and 39 seek to remove the subsection. I fully agree with the principle of the amendments, but I believe that they are not necessary, as clause 12 already contains safeguards that will ensure that police officers need operate cameras only where reasonably practicable and subject to operational requirements. If there are special circumstances that justify their not wearing cameras, that is already acceptable under the clause. It is important to me and to all the bodies that have expressed views on the Bill that it does not restrict the police, so the safeguards are already in clause 12, to the satisfaction of those bodies, which include the College of Policing.

I wish to accept some minor Government amendments that tidy up the drafting: Government amendments 5, 6, 7 and 8. I also accept the two Government motions to transfer clauses.

In conclusion, I am grateful to right hon. and hon. Members for their engagement with the Bill. I appreciate the constructive spirit in which Members have tabled amendments to strengthen further this important legislation. I look forward to the rest of the debate and, I hope, the successful conclusion of the remaining stages.

Philip Davies: May I start by commending the hon. Member for Croydon North (Mr Reed), who is an excellent Member of this House? We clearly do not agree on a lot of things, but he really is an excellent MP. I commend him for doing that, and it goes to show the amount of credit, and I am grateful to him.

Secondly, unlike many Members who promote private Members’ Bills, the hon. Gentleman has engaged in a rather constructive manner with everybody who has tabled amendments. I wish it were always like that—as we know, it often is not—but he has certainly engaged, and I absolutely commend him for that. The way in which he has conducted himself throughout the Bill’s passage through the House does him an enormous amount of credit, and I am grateful to him.

Having said that, there are parts of the Bill on which the hon. Gentleman and I disagree, as he alluded to in his speech. I absolutely support the thrust of what he is trying to achieve, and a great many parts of the Bill will make a considerable difference, but, as with most pieces of legislation, it would be naive to think that it could
not be improved. As I said in the point of order that I made earlier, I fear that we are in danger of passing a piece of legislation that everybody in the House knows is not as good as it could and should be, largely because of the paralysis in Government decision making, which means that they do not seem to be able to assess and agree amendments with the speed with which the hon. Gentleman appears to have been able to do so. I suspect that is partly because the civil service appears to have taken the Government hostage in the running of public policy.

The Parliamentary Under-Secretary of State for Health and Social Care (Jackie Doyle-Price): My hon. Friend is perhaps one of the most passionate Members about defending and championing the interests of Back Benchers, but I remind him of what the hon. Member for Croydon North (Mr Reed) has just said. The Government have worked with the hon. Gentleman to get his private Member’s Bill into a shape that they can support, while worked with the hon. Gentleman to get his private policy.

The Department of Health and Social Care is probably one of the worst offenders for being taken hostage by its civil servants. I am being charitable in saying that, because I presume that that is why so many socialist, nanny-state proposals come from the Department. I cannot believe that the Ministers actually believe in all that rubbish, so it must be the civil servants who are running the Department if those things are coming forward.

With this Bill, it seems that the civil servants, who never want to accept any amendments tabled by anybody other than themselves, are doing their best to try to stop any improvements to the Bill. It is a shame that we have got ourselves into a farcical situation. The Minister is absolutely right: there is nothing to prevent Members from tabling amendments—we know that because we have tabled them, and we are grateful to you for selecting them, Mr Speaker—but we have got ourselves into a rather farcical situation in which we have done an awful lot of work, and my staff have done an awful lot of work, I might add, to try genuinely to improve the Bill, and then we come across this ridiculous bureaucratic situation, about which I have only just found out with this Bill but which no doubt applies to every Bill. It is important that everyone knows that if Members table amendments at this stage of a Bill, they are wasting their time. It is a completely pointless exercise.

Sir Christopher Chope: I do not think that we are wasting our time when we table amendments. Contrary to what my hon. Friend says, I still have faith in the Minister, as I think she believes she is in charge. I believe she comes to this debate with an open mind, and, if, having heard the merits of a particular amendment, she decides that she will allow it, then she will say so from the Dispatch Box.

Let me mention another issue. We often find that because of the constraints on private Members’ business, people say, “We’ll amend it in the Lords.” If the Bill is amended in the Lords, its progress is jeopardised because it then has to come back here again for us to consider the Lords amendments. So in fact the Government should be more assiduous and quick in dealing with amendments to private Members’ Bills than amendments to their own legislation.

Jackie Doyle-Price: This is great fun. I come back to the point that this is a private Member’s Bill and the Government have agreed their position on it. We are not getting in the way of Back-Bench MPs tabling amendments, because although I will articulate the Government’s view on those proposals, it will be for the House of Commons to decide.

Philip Davies: I am grateful to the Minister for that. I appreciate that we are in a strange situation in which the Government do not have time to decide whether to agree with the amendments, but they certainly have time to write speeches on why they will disagree with them because they are not in a position to accept them. We have got ourselves into a completely farcical situation. The Minister is going to read out the speech that has been prepared to say why she cannot accept the amendments, but we all know that the reason why she cannot accept the amendments is that she does not have the Department organised to get things decided within eight days. As I said, that gives the impression that the Government have been taken hostage by the civil service.

The Parliamentary Under-Secretary of State for Health and Social Care (Jackie Doyle-Price): My hon. Friend is absolutely right, but he is being slightly naive in thinking that we will get some rapid decision making. As, I think, Mr Speaker, you were alluding to in your response to my point of order, the only time that the Government appear to be able to act with speed is when they think they are going to lose a vote. At that point, they seem to be able to react with miraculous speed. We do not seem to need any write-arounds at that point, or eight days of write-arounds; they appear to be able to cobble something together within seconds, particularly if my right hon. and learned Friend the Member for Beaconsfield (Mr Grieve) clicks his fingers. They then appear to swoop into action in no time whatsoever. It seems to me that if hon. Members actually want to improve the Bill, they should be busily telling their Whip that if we put
They are examples of the use of restraint applied, for example, to a person simply holding out a varying degrees of interaction with a patient. It can be terminology within mental health trusts and covers it. The term “restraint” has been adopted as common mental health unit, often involves little to no use of which is simply not the case. with a degree of aggression, violence or excessive force, “force” in this regard is somewhat misleading and suggests used predominantly by mental health staff in a mental health unit. Although we must not forget that restraining of patients, it would be more appropriate to focus is on the restraint methods used by staff in a mental health unit. Although it might scare them into wondering what may happen to them in some mental health settings. My view is that the “use of restraint” by, I think, the Government.

The comments I make here largely come after consultation with my local Bradford District Care NHS Foundation Trust. The amendments that I have tabled would ensure that the terminology used in the Bill was correct and in line with that commonly used by mental health trusts. The term “use of force” is predominantly used by police forces in reference to the use of physical force while carrying out their duties. It is important to note that, although the police do play a part in the restraining of patients, it appears that the Bill’s primary focus is on the restraint methods used by staff in a mental health unit. Although we must not forget that the police are on occasion called to assist in the physical restraint of patients, it would be more appropriate to adopt the correct mental health terminology for actions used predominantly by mental health staff in a mental health setting. Not only that, but the use of the word “force” in this regard is somewhat misleading and suggests that the restraint being used on patients is being conducted with a degree of aggression, violence or excessive force, which is simply not the case.

I am told that restraining a patient, particularly in a mental health unit, often involves little to no use of actual force in the sense that most of us would understand it. The term “restraint” has been adopted as common terminology within mental health trusts and covers varying degrees of interaction with a patient. It can be applied, for example, to a person simply holding out a hand to stop someone advancing towards them, or to methods of calming such as simply talking to a patient. They are examples of the use of restraint.

Norman Lamb: I am grateful to the hon. Gentleman for giving way. In my experience both from my time as a Minister and from talking to many people in mental health, restraint covers an enormous range of circumstances, from the very light-touch to very considerable force, including pinning people to the floor with face-down restraint, which was the action that led to the tragic death of Olaseni Lewis. It is not right to say that it cannot involve considerable force; it often does.

Philip Davies: The right hon. Gentleman certainly knows more about this subject than I do, and probably more than anybody in this House, and I commend him for that. Absolutely—I am certainly not saying that the use of restraint never involves the use of excessive force; it absolutely does. My point is that it often does not. To throw all these things in together by using the word “force” is not only not within the terminology generally used in mental health trusts, but slightly misleading given what the norm in this area is.

10.15 am

Kevin Foster (Torbay) (Con): I am listening with some interest to my hon. Friend’s speech. The purpose of his amendments, as he has said, is to replace the word “force” with “restraint”, and he has just given quite a strong list of things that could be restraint. However, surely the whole purpose of this Bill is to focus on force as we see it defined in other legislation. I know from his doughtiness on issues such as nanny state and cotton wool-style politics that the prospect of talking to people with smiles, which he says could be restraint, is the last thing that we want in this type of Bill.

Philip Davies: I understand the points that my hon. Friend makes, and I will come on to some of them later on, as they probably sit better with other amendments that have been tabled. I certainly accept his point, and as always, he makes it well.

I am also concerned that using the word “force” might worry people who are thinking about seeking treatment for mental health conditions. If they see that, it might scare them into wondering what may happen to them in some mental health settings. My view is that the word “force” in this case is not appropriate, not sensible and not actually what is generally used. Of course an element of force is used at times to carry out some methods of restraint, but common sense would suggest that the terminology used in the Bill should be what the sector uses.

Sir Christopher Chope: When one looks at the drafting of clause 1 (6), references to the use of force are to “the use of physical, mechanical or chemical restraint”. Force is being limited there to restraint, except that there is also, “the isolation of a patient.” Is it not the case that the drafting is really confusing? It suggests that the only difference between force and restraint is the addition of the isolation of a patient in the definition of use of force.

Philip Davies: My hon. Friend is absolutely right. He has made the point that I was literally just about to make. The use of force is defined as being physical restraint, mechanical restraint and chemical restraint. I reiterate my earlier point that, quite clearly, the most appropriate term to use is “use of restraint”. That is what the definition of the use of force is in the Bill. It sounds more sinister than it actually is, and that is clearly more appropriate terminology. I have tabled more than 60 amendments, but that point deals with more than 30 of them—about 35—in one fell swoop. I hope that other Members will accept that “use of restraint” is the more appropriate terminology.

Let me move on now to my other amendments. Amendment 9 to clause 5, which is about training on the appropriate use of force, would remove paragraph (c), which is about “showing respect for diversity generally”.
The hon. Member for Croydon North mentioned that earlier. Restoring the faith of the public in their services is a key element and purpose of this Bill, and why not? We should all have the confidence and reassurance of knowing that when we go to any public service, we will be treated properly. However, when it suggests that illnesses are not diagnosed in proportion to the demographics of our society, I question whether people will draw the wrong conclusion from that. We could question whether anything in our daily lives mirrors social demographics. Of course it does not; it would be absurd to think that it does. What we need to keep in mind is that any illness, and specifically mental illness, is not selective in whom it touches and the outcomes that it can cause. It does not discriminate by people's ethnicity, sexual orientation, religious belief or gender or in any other way. Mental illness is a very complicated and personal experience, which—as is well documented—has had a harrowing and life-changing effect on those who are directly affected by it, and on the people and families around them.

It has been argued that different ethnic groups have different rates and experiences of mental health problems, with people from black, Asian and minority ethnic groups in the UK more likely to be diagnosed with mental health problems and more likely to experience a poor treatment outcome. It is documented that for every 1,000 people of the black/black British population, approximately 41 are in contact with secondary mental health services. What is not mentioned so much is that for every 1,000 people of the white British population, approximately 37 are in contact with the same level of service. In actual numbers, 1.3 million of the total 1.5 million patients in contact with this service are of a white ethnicity, so the use of the ratio format instead of the actual figures over-exaggerates a point that is already not entirely convincing. For example, for every 1,000 people of the Asian/Asian British population, approximately 26 are also receiving secondary mental health care. In actual numbers, this is approximately 69,000 patients—higher than the total of mixed ethnicity and other ethnic groups combined, and 16,000 patients more than the black/black British category.

I do not want to make it sound like a competition for numbers; it clearly is not. These numbers represent people. But the Bill currently makes it appear as though this is an issue that only affects one ethnicity, when that is quite clearly far from the case. The suggestion that there should be a conscious overview of regulating the diagnosis and treatment of a patient not according to their symptoms, but according to their ethnic background, may result in turning it into a competition. By putting in place such measures, the good intentions of stopping disproportionate number of black people being stopped and searched has led—directly or indirectly—to an increase in the amount of knife crime in London and in the number of people who are dying as a result of knife crime in London. I might add that it is largely young black men who have been the victims of that well-meaning policy.

I fear that mental health staff, rather than being asked to treat people exactly the same irrespective of their backgrounds, may well—directly, indirectly or because they feel some pressure—start to treat people differently as a result. That will have serious consequences. I fear that it is some people from black and minority ethnic backgrounds who will suffer most and not get the treatment they should as a result.

Mr Reed: Surely the point about an unconscious bias is that it is unconscious. If we do not collect the data and evidence to show what is happening to a particular group, it will continue to happen because no one has interrogated the data to understand what the problem is. For instance, women are more likely to be restrained than men in mental health services. More women are restrained than men, even though there are more men present in mental health services. If we do not understand why that is happening, we cannot do anything to correct it.

Philip Davies: I understand the hon. Gentleman's point and I am not totally unsympathetic towards it. My fear is what will happen as a result of such a measure and the impact on staff, who have a very difficult job. Their job is difficult enough as it is and they do a great job. When we are passing legislation like this, it is important to say—at least in passing—how much we appreciate what staff do in many of these places. They are doing their best, often under difficult circumstances and with limited resources. I do not want these people, who are working their socks off, to think that we are trying to kick them in the teeth and tell them that they are not doing a good job. On the whole, they are doing a very good job.

My point is that their job is difficult enough as it is and I fear that it will be made even harder when, in effect, they are subconsciously given the message, “Oh, you'll want to be careful what you do with different minority groups, because you may be accused of being racist if you're using restraint on too many people from a particular background.” That is exactly what happened to the police with stop and search, when they were told, “Even though you should be stopping and searching people, don’t bother doing it with somebody from a particular ethnic background, because you might be accused of being racist if, when it’s all totted up, you’ve stopped more black people than white people.” We should not put people in that kind of situation.

Mr Reed: But nobody, in this Bill or elsewhere, is advocating proportionality in the way in which restraint is used. We are merely trying to ensure that the factors that may underpin unconscious bias are understood and articulated.

Philip Davies: The hon. Gentleman’s motives are entirely honourable and decent, and I support them 100%. My fear is about what will happen in practice, because of the evidence of what happened with stop
and search in London, to be perfectly honest. Exactly the same thing happened in that case, so it is not as if we have no evidence on which to base this fear. If the hon. Gentleman speaks to police officers, they will tell him that they were petrified of stopping people from a particular ethnic background because they feared they would be castigated for being racist. That is absolutely what happened. All I am saying is that my fear is that that may well happen as a result of this legislation, although I accept that it is not the hon. Gentleman’s intention.

*Sir Christopher Chope:* My hon. Friend is making an excellent point. Is it not also the case that substance and drug abuse has developed enormously, particularly in urban areas, as a result of this misguided policy on stop and search? It is then drug and substance abuse that so often leads to mental health issues.

*Philip Davies:* My hon. Friend is absolutely right to draw that comparison. It goes to show that well-meaning initiatives can often have the exact opposite result to what was intended.

In addition, diversity training programmes do not show any particular progress in the area that they are trying to improve. In fact, they have often proved to have the opposite effect. In a 2016 edition of the *Harvard Business Review*, an article entitled “Why Diversity Programs Fail” states:

> “It shouldn’t be surprising that most diversity programs aren’t increasing diversity. Despite a few new bells and whistles, courtesy of big data, companies are basically doubling down on the same approaches they’ve used since the 1960s—which often make things worse, not better.”

The article says that companies have been heavily reliant on diversity training to reduce workplace bias, and bias during the recruitment process and employee promotions. It also says that studies have shown that this consistent and forceful approach to tackling diversity can “activate bias rather than stamp it out.”

The article points out that social studies have found that people too often rebel against rules in a bid to assert their autonomy, and argues that companies—in our case, public services—will see far better results when they drop control tactics to make people conform. Even eminent people at Harvard are not particularly convinced that such a measure would have the result that the hon. Member for Croydon North intends.

On top of that, there are so many variations of diversity these days that there is a vast array of specifics to cover. For example, to my knowledge there are at least 71 variations of gender. I have a list here, but I will not test the patience of the House by reading them all out. Hon. Members who thought that there were only two genders are, I am afraid, well behind the times; there were 71 at the last count. I am sure that my hon. Friend the Member for Walsall North (Eddie Hughes) knows about this, as an esteemed member of the Women and Equalities Committee. I am sure that he can reel them all off from the top of his head, but most people could not.

Then we get on to the variations of religion that could be discussed. There are estimated to be approximately 4,200 different religions around the world, going far beyond those commonly observed in the UK. They include beliefs such as mysticism, paganism—which has, I think, 47 variants within it—Raelism, Judaism, the ghost dance movement, chaos magic, and the happy science movement. The one that I personally liked most of all—I had not heard of it before but I am thinking about becoming a convert to it—is the Prince Philip movement. Being a great fan of Prince Philip, that sounds to me like a marvellous organisation.

10.30 am

*Matt Warman (Boston and Skegness) (Con):* I too am obviously a great fan of Prince Philip. In talking about his fears, my hon. Friend is, while of course still being orderly, discussing matters that go some way from the central intention of this Bill. Does he share my fear that some of his concerns might risk derailing what is, at its heart, a very important and sensible measure that we all surely, as he has said, support?

*Philip Davies:* I cannot accept that at all, Madam Deputy Speaker—it is a delight to see you in the Chair. My amendment is clearly pertinent to the Bill given that I am trying to remove something that is in it. If it was not pertinent, no doubt Mr Speaker would not have selected it. I am afraid that I cannot accept my hon. Friend’s challenge to the authority of the Chair. I am sure, Madam Deputy Speaker, that were I to be out of order, you would be the first to leap to your feet and put me right.

Will all these different religions, genders and all the rest of it be covered in the diversity training that I am trying to remove from the Bill? We cannot ignore the fact that they exist and therefore have as much right, presumably, to be detailed in diversity training as anything else. Let us not forget diversity of ideological beliefs. Will that be covered too? This is a throwaway phrase—one of those things that everybody puts into everything. It is meaningless. There are lots of meaningless things in political discourse: social justice—nobody knows what it is but everyone is in favour of it; sustainable development—we are all in favour of it, but nobody has ever been able to tell me what it actually means; diversity training—let us shove it in as a little part of our Bill, but nobody really knows what it is trying to achieve. I am not entirely sure that there is any point to it, and if there is any point, it will be counterproductive. I cannot accept this aspect of the Bill, and that is why my amendment 9 tries to remove it.

Amendment 10 to clause 5 is about training on appropriate use of force. It would remove paragraph (k) on training on “ethical issues associated with the use of force.” I am trying to make sure that legal issues are the focus of the training, not ethical issues. How does one go about taking account of ethical issues in the use of force or restraint? As I said earlier, staff have a very difficult job as it is. When they are focusing on whether they should be using restraint with a particular patient, are we seriously saying that they have to start considering, at that moment, the ethical issues associated with it? Surely this House is about making sure that people act within the framework of the law, not about what I, the hon. Member for Croydon North or somebody else thinks are the relevant ethical issues. How do we decide what the ethical issues are that people should be considering? The ethical issue that I might think is particularly pertinent may be different from the one my hon. Friend
the Member for Christchurch (Sir Christopher Chope) or the hon. Member for Croydon North thinks pertinent. What sort of a situation are we putting staff in when they have to be thinking about the ethical issues, as intended in this Bill? I would not be able to explain that to them. We should be removing these bits of flim-flam from the Bill and making sure that we are instead asking people to follow a legal framework.

Sir Christopher Chope: As always, my hon. Friend is making an excellent point. In his extensive research, has he been able to ascertain the source of the support for the flim-flam that he is describing with regard to the use of the word “ethical”? The Minister said earlier that the Bill has the support of all stakeholders—I do not think she used that word, but she might have chosen to do so. Where is the evidence that the stakeholders are behind the use of ethical issues being part of the training?

Philip Davies: I am afraid I cannot answer my hon. Friend’s question. I do not know. The Minister was absolutely right to highlight the fact that although stakeholders do welcome this Bill, it would be wrong to say that they welcome every provision within it. That is certainly the feedback that I have had from my local care trust. While it certainly agrees with the thrust of the Bill and many of its provisions, there are still some it is not comfortable with. I cannot tell my hon. Friend about the genesis of this or any widespread level of support for it, because I am not aware of it. Perhaps the hon. Member for Croydon North or the Minister can help out. All I can say is that that definition of “ethical” is “relating to moral principles or the branch of knowledge dealing with these”.

I am not sure whether my hon. Friend is any more enlightened by that definition that members of staff may have to take into account. I have no idea what it all means, to be perfectly honest, and yet we are expecting members of staff who are dealing with patients in difficult situations to be weighing up all these things.

I think it can be established that everyone has their own individual take on morals, but surely we cannot start applying ethical and moral views in serious situations such as these. This will end up being the beginning of a long list of other factors that it will be demanded people be mindful of. My view is that healthcare should be provided in a legal and law-abiding way, and not with the addition of anybody’s personal, individual ethical take on what is moral and not moral.

Eddie Hughes (Walsall North) (Con): My hon. Friend is making a fascinating speech that seems to be very well researched. Given that he considers this to be flim-flam, if there were other elements of law surrounding this topic that included the use of the term “ethics” or “ethical”, might this need to be included in order to satisfy some type of uniformity across different pieces of legislation?

Philip Davies: My hon. Friend may well be right; I do not know. I have not been able to find any evidence for that, but it may exist somewhere. Perhaps the promoter of the Bill or the Minister will be able to enlighten us. If my hon. Friend has any evidence, I would be very happy to change my mind, but as it is, I cannot see any purpose to the provision.

The general thrust of my argument is that while this Bill should indeed be making staff and institutions accountable, it should also be helping them in their daily job, but it is making their life far more difficult than need be. I do not see that it is helping to protect the rights of patients, which is at the heart of what it is supposed to do.

Sir Christopher Chope: My hon. Friend has referred to the definition of “ethics” and “ethical”. Paragraph (k), to which he is addressing his remarks, talks about the “principal” ethical issues—not all ethical issues but the “principal” ones. Does he have any insight into which ethical issues are “principal” and which are not?

Philip Davies: My hon. Friend makes a good point. I do not know the answer to that—who knows? It is a mystery to me, and therefore it will almost certainly be a mystery to any institutions trying to implement these measures. We have to bear in mind that this is not just meaningless. This will be the law of the land. Institutions and members of staff could well be taken to court over whether they have sufficiently taken into account these “principal” ethical issues. Surely it would be intolerable to put people in that legal uncertainty. I am not entirely sure that we, the people who are passing this piece of legislation, have any idea what it means ourselves, so how on earth are the people who are supposed to implement this meant to?

Surely laws have to be fit for purpose. I know that my hon. Friend the Member for Christchurch is an eminent lawyer by background, and no doubt his profession will be dancing in the aisles at the prospect of all this uncertainty, because they are the only people who will benefit. The patients will not benefit, the staff certainly will not benefit, and the institutions will not benefit, because they will probably find themselves facing expensive legal suits. Unless this is simply a benefit for the legal profession, I cannot see any point to it whatsoever.

I am confident of scoring a few more runs on amendment 11, because the hon. Member for Croydon North indicated that he supported it. As I indicated to Mr Speaker at the start, I may wish to press the amendment to a Division and test the will of the House on this matter. The amendment would insert new paragraph (l) in clause 5(2), which relates to training in the appropriate use of force, to include training for mental health staff about who is responsible, and the roles and procedure when the police are called to assist.

Some people may say—I would not necessarily dismiss this out of hand—that clause 5 is already too prescriptive. There is an argument for saying that we should take out this detailed list of things that people should be trained in and effectively leave it to institutions and local experts to sort out training for themselves, rather than putting every little element of what that training should consist of in statute. There is certainly an argument for saying that we should get rid of all these areas of training that are prescribed. Of course, the problem with prescribing everything is that what will happen is that everything prescribed will be covered, but nothing else will be. Something may well have been missed out from the list, but if it is not on the list, institutions will not bother
with it. That is my problem. Given that we are prescribing so much, it is essential that we get those things right, otherwise important things will be missed in the training. It seems to me that we go one of two ways: either we do not prescribe any of it; or we prescribe everything, because otherwise things will be missed out.

Norman Lamb: I suspect that the hon. Gentleman and I agree that it is really important to protect the individual against the overbearing power of the state, and the Bill is primarily about achieving that—protecting individuals who are often in very vulnerable positions against the potential misuse of power. Giving some detail about what the training must cover, so as to ensure that people are treated with respect and dignity, and their rights are protected, is surely something that he agrees is rather important.

Philip Davies: Absolutely I do—I am not sure that anyone would disagree with that. The issue is how we best ensure that the training is comprehensive and covers the necessary areas. My point is that there are two ways of doing that in law. One option is to simply say that training should be given and effectively leave it to the experts in the field to determine what that should cover. The Bill has gone a different way—I am not saying that it is necessarily wrong; we can argue it both ways—by literally prescribing in law what should be covered in that training.

Given that we are going down that route, it is essential that we include the things that are missing from that list, because if we do not include them, institutions will look at what it is their legal responsibility to cover, and then cover all those things, and that will be it. They will not cover anything else, because they will presume, not unreasonably, that what has been produced for them is an exhaustive list of what should be covered. My amendments 11 and 12 merely highlight that essential things to cover have been missed off the list.

When the hon. Member for Croydon North opened the batting, he kindly agreed that the things specified in amendments 11 and 12 are important and should be included in the training, and that he therefore supported them. His issue with including them in the Bill arose from the suggestion that they could be simply covered in guidance. The Minister might have something to say about that, but I do not understand this. It appears that the Government do not have the authority to agree to put these things in the Bill, but miraculously do have the authority to agree that they should go into guidance. If they have the authority to agree that these things should go into guidance, why on earth do they not have the authority to agree that they should go in the Bill? It makes no sense to me, but that is the beauty of the establishment.

10.45 am

Jackie Doyle-Price: I advise my hon. Friend that the guidance we will issue on the Bill will be subject to consultation. I fully anticipate that we can pick up the themes mentioned in his amendments as part of that consultation.

Philip Davies: I am grateful to the Minister. As I suggested, the Government have the authority to put these things in guidance, but not in the Bill. I do not understand that, but there you go, Madam Deputy Speaker—that is the vagaries of the establishment and the Executive for you.

The point that I want the hon. Member for Croydon North to note, given that this is his Bill, is that if we have 11 things in statute, putting two others in guidance does not really cut the mustard, because they will not be statute but guidance. Institutions will focus on what is in the law and what they can be taken to court for if they do not act properly. We cannot have a pick-and-mix effort, with some of these things in law and some in guidance because, by definition, the things that are in guidance are clearly not as important as those in law. My contention is that the matters specified in amendments 11 and 12, with which the hon. Gentleman said he agreed, are so important that they should be part of the list that goes into law. Guidance just is not good enough; it is not acceptable.

Amendment 11 would include in the Bill training for mental health staff on who is responsible, and on roles and procedures when the police are called to assist. The amendment would ensure that we have a structured approach regarding the involvement of the police when restraining a patient, and it goes to the heart of one of the purposes behind the Bill. This is one of the reasons why the hon. Member for Croydon North brought forward the Bill in the first place, in my opinion, so it would be extraordinary if the Bill did not include training on the thing that is central to it. The amendment stems from that inspiration.

The hon. Gentleman has detailed on several occasions in the Chamber the case of his constituent, Olaseni Lewis, and the treatment he received in the lead-up to his death. On reading through the inquest into Mr Lewis’s death, alongside the coroner’s report, a number of things stood out to me, but predominantly the fact—I believe it can be agreed—that the entire scenario that took place on the evening of his death was a mess. It was a shambles, and it should not have happened. There seemed to be a sudden shedding of responsibility from the medical staff to the police, which I believe caused the quality of medical care that Mr Lewis received to be compromised.

What I find most disturbing is that the police seem to be blamed for Mr Lewis’s death, yet his cause of death was identified by the coroner as medical negligence. I therefore ask what responsibility medical staff have in such events and what responsibility the police have. That is fundamental to this particular case behind the Bill. Common sense suggests that if a patient is in a medical unit and experiencing an episode of mental illness, the priority is for medical staff to control the situation, due to the cause of the situation being medical, and the police are purely there to assist in giving someone appropriate medical care and treatment.

An interesting case is that of the former premier league footballer, Dalian Atkinson, who died in the early hours of Monday 15 August 2016. Police were called to attend a report of concern for safety. Neighbours had reported that Mr Atkinson was banging on and kicking his father’s front door after “flying into a booze-fuelled rage”. They had also reported that Mr Atkinson was trying to enter his father’s property because he claimed that he was homeless. Mr Atkinson’s father, who was not the person who called the police, stated of his son:
“I don’t know if he was drunk or on drugs but he was very agitated and his mind was upset... He was threatening and very upset.”

At the time of the incident, Mr Atkinson was reported to have been suffering for some time from a series of illnesses that left him in a fragile state, with a weakened heart. Alongside pneumonia and liver problems, Mr Atkinson was also said to have undergone dialysis for kidney failure and to be battling depression. Mr Atkinson’s brother Kenroy stated that, on the night of his death, Mr Atkinson “had a tube in his shoulder for the dialysis”, which he had removed himself, leaving him “covered in blood”. He also said that his brother had attacked their father, who was 85, and held him by the throat, telling him that he was going to kill him. He told their father that he had already killed his sister and another of his brothers, which was not true.

What makes Mr Atkinson’s case different from Mr Lewis’s is that, instead of force from person-to-person contact, Mr Atkinson was subject to the use of a Taser gun. With a combination of multiple health issues and a weak heart, this caused him to suffer cardiac arrest, which subsequently caused his death. In the days following his death, Mr Atkinson’s nephew, Fabian Atkinson, said of his uncle:

“He had some health issues that he was trying to get through and that’s why his heart was weak. When a Taser is deployed, as soon as a Taser is deployed, they need to automatically call an ambulance. How do they know the health of the guy or the girl that they are affecting?”

That is exactly my point.

When the police are called to an incident, they are not aware—they cannot possibly be aware—of a person’s medical history. There is no briefing beforehand, because that is simply not possible when they are put into an urgent situation. Training is designed to help them attend incidents and de-escalate them quickly and efficiently. The question is: how is it possible for this to be done and for them also to be able to take on the additional task of medical assessment?

It might be assumed, from the medical setting, that there is the reassurance of a medical professional being present to monitor the person’s health. In the Royal College of Emergency Medicine’s best practice guidance, the advice is that when a patient is restrained in the emergency department, even if the police are providing that intervention, the ultimate responsibility for the patient’s safety and wellbeing rests with the doctors and nurses of the emergency department. I think that that is absolutely crucial.

I appreciate that those guidelines are for a patient who is taken to an accident and emergency department, while Mr Lewis was in a specialist mental health unit where there were medically trained staff who should have been well versed in such situations. From reading the reports, it seems to me—other people may have a different interpretation—that the staff felt it appropriate to pass responsibility for Mr Lewis’s medical wellbeing to police officers, who are not of course medical professionals. I believe that that was the most detrimental aspect of the last moments of Mr Lewis’s life. That is why this matter should be one of the key focuses of the Bill.

In its memorandum of understanding, “The Police Use of Restraint in Mental Health & Learning Disability Settings”, the College of Policing states:

“People who talked to us wanted mental health staff to be proactive and use their therapeutic skills to de-escalate situations and only call on the police when absolutely necessary... Each situation where the police are called for emergency assistance should be properly assessed on its merits... The police role is the prevention of crime and protection of persons and property from criminal acts.”

This provides a very clear distinction between the responsibilities of the services. In case it was not already apparent, the police are responsible for crime, and the medical staff are responsible for health.

I do not want the police to have to be given a full medical briefing before assisting with the restraint of a patient—in most cases, there simply will not be time—so there needs to be understanding about the co-operation of the medical services and the police, with the medical staff giving direction to the police. I ask that amendment 11 be made to ensure that staff are given clear training to alleviate the possibility of a similar chaotic scenario arising when the police are involved in restraining a patient, and so that they are fully aware that the police are there to assist, not to take on additional responsibilities that the medical staff would otherwise have.

It seems to me that amendment 11 goes to the heart of what the Bill is trying to achieve: to prevent anyone from suffering in the same way as Mr Lewis suffered on that particular occasion. I do not understand how the Bill can be fit for purpose unless it specifically puts that aspect of the training into statute. If it does not cover that, I do not think we are being diligent in making sure that what happened to Mr Lewis is prevented. The hon. Member for Croydon North is quite right to bring that terrible situation to the attention of the House and to try to prevent such a scenario, but the provision in my amendment is what would most help to achieve that, and it is not right that it is not in the Bill. I hope that hon. Members will overcome the bureaucratic nature of the Government and insist that the amendment goes into the Bill. I would like to see that, and the promoter has said that he would also like to see that. It is our job to make the Bill fit for purpose.

Amendment 12 to clause 5—“Training in appropriate use of force”—relates to the same area. It would insert another new paragraph—paragraph (m)—with regard to training on acute behavioural disturbance, which is another really important thing that has been missed out of the list of areas that must be covered in training. The amendment would ensure that there was staff awareness training on acute behaviour disturbance, which can be life threatening when paired with restraint techniques on a patient.

I will again refer to the case of Olaseni Lewis, whose cause of death was detailed by the coroner as hypoxic brain injury caused by restraint in association with acute behavioural disturbance, or ABD. It states in the circumstances of death that Mr Lewis became agitated and fearful, resisting efforts to leave him alone in the seclusion room. Officers restrained him but were unable to regain control. Eventually, Mr Lewis became unconscious and suffered cardiac arrest.

Hypoxic brain injury, or hypoxia, is caused by an interruption to the constant flow of oxygen that the brain requires. The brain uses 20% of the body’s oxygen

...
Mr Lewis would have been terrified. He had experienced psychosis; he was being held in a hospital and he wanted to leave. He was surrounded by several uniformed officers and medical staff, so sweating would have been understandable. But if he were sweating to the point that his clothes were soaked through as though he had just stepped out of a shower, I am sure that would have been noticeable to anyone, particularly medical staff who, I believe, should have been looking out for such symptoms. Mr Lewis was already established as having been violent and aggressive, which were symptoms of his psychosis. He had kicked and broken a door, and was said to have been aggressive towards staff who claimed to have been in fear for their own safety. To reiterate that, the hospital night site manager, Hilda Abban, stated at the time:

“I told staff to give him intramuscular medication because he was apparently refusing oral medication, and because of his level of violent aggression it was decided during the staff handover that he would be sectioned, and that was so that the intramuscular medication could be given against this wishes.”

The nursing assistant stated that Mr Lewis

“was physically violent and would put me and my colleagues in danger.”

PC Michael Aldridge said:

“On sighting us he moved at speed to our position, crouched forward, shouting he wanted to get out, it was nearly all over, repeating it again and again. Mr Lewis presented a possible risk to others on the corridor and he damaged the door. He was really strong.”

Mr Lewis was showing at least four of the 14 previously mentioned symptoms for ABD: violence, aggression, agitation and hostility. Along with the previously mentioned hyperpyrexia, his apparent state of panic, shouting, paranoia and heightened physical strength makes that nine out of the 14 symptoms, prompting the question why medical staff did not pick up on the fact that Mr Lewis was experiencing ABD. Further glaring signs of ABD being present in Mr Lewis were revealed by another police officer, PC Adam Mitchell, who stated:

“He was growling with every breath he exhaled. The sound and tone didn’t suggest he had difficulty breathing, more something on the inside of him, an aggression and a ferociousness that couldn’t be controlled.”

To put that into context, by this point Mr Lewis was being restrained on the floor by several police officers. He had on two sets of handcuffs and two sets of leg restraints. He had been struck with a baton during a compliance procedure, yet he appeared not to be in pain. I believe that he was therefore demonstrating the insensitivity to pain that is one of the clear symptoms of ABD.

The terms ABD or excited delirium were reportedly never mentioned during the events leading up to the death of Mr Lewis, yet it was plain that he was experiencing that. Had ABD been identified at the time, the outcome certainly could—and probably would—have been very different. For example, referring back to the ABD guidelines from the Faculty of Forensic & Legal Medicine, the suggested steps to take when dealing when ABD are as follows:

“Ideally, individuals with acute behavioural disturbance should not be taken to a custody suite but directly to an emergency department. However, on occasions, individuals will be detained by the police and taken to the police station, when the forensic physician will be called for advice. In these circumstances, the forensic physician may consider that immediate hospitalisation is...
required and advise the police to telephone 999 for an ambulance. Otherwise, the HCP should attend and assess the detainee... The forensic physician should endeavour to establish the underlying diagnosis behind the acute behavioural disturbance before making any treatment decision."

The doctor should then consider allowing a period of de-escalation where the detainee may calm down away from arresting officers. The forensic physician should avoid responding to aggression and adopt a reassuring and non-judgmental attitude, and

"Only when de-escalation has failed to curb the disturbed behaviour should the forensic physician consider giving medication."

Looking through the coroner's court inquest into police and custody-related deaths, I found another case that mentioned acute behavioural disturbance as the cause of death—that of Michael James Sweeney in April 2011. Unlike Mr. Lewis, Mr. Sweeney was a sporadic user of cocaine on a recreational basis. The coroner's report into Mr. Sweeney's death stated:

"Following the cocaine ingestion, Mr. Sweeney entered a public house with a knife. He was extremely agitated. The Metropolitan Police Service was called and officers attended shortly thereafter. Police officers almost immediately identified Michael as being unwell, suspecting that he was suffering from what had been described in their training as excited delirium. They correctly categorised his condition as a medical emergency and asked police control to arrange for an ambulance to be sent. Police control contacted ambulance control.

London Ambulance Service categorised the call as C1 Amber, rather than Red One or Red Two. At the time, there were no paramedics located in the ambulance control room (who could have recognised the seriousness of the condition and upgraded the call), but that has since changed... Twenty minutes after police first asked for an ambulance, they took the decision to transport Mr. Sweeney to the Royal London Hospital in a police van.

Once at hospital, police officers, medical and nursing staff were very challenged by the situation. Mr. Sweeney remained violently agitated, and demonstrated extraordinary strength in trying to hurt himself and resisting efforts to help him.

He was restrained prone until sedation was effective and was then turned over. Unfortunately, he arrested within a minute and then died less than two hours later."

Like Mr. Lewis, Mr. Sweeney was subjected to a lack of knowledge about his medical situation. Although he was fortunate to have police officers to attend to him who had been given good training in identifying ABD, it was again the medical services that failed him. Ambulance services that were responsible for categorising the severity of medical cases failed to identify Mr. Sweeney as an emergency and thereafter left it to the police to transport him to hospital.

To reiterate my early point about the roles and responsibilities of the involvement of police assistance, why should the police be the responsibility of the police to conduct the work of medical emergency staff?

In response to Mr. Sweeney's death, the coroner detailed his concerns in the report:

"Police officers had clearly been trained in the condition described to them as excited delirium. The training was effective in facilitating their understanding of Mr. Sweeney's condition as a medical emergency. However, this term is not widely used in this country, and neither ambulance, nursing nor even some of the medical staff had heard of it in April 2011. It would be possible to give ambulance and hospital personnel an understanding of the term excited delirium. However, given that this describes a medical condition, it seems more logical for the police to follow health services in this, rather than the other way round."

That is correct: it would be more logical, but lessons have clearly not been learned. Like Mr. Sweeney, Mr. Lewis was failed by medical professionals and, even worse, by those who were supposed to be specialists in mental health, because they did not have knowledge about these key mental health areas and the use of forms of restraint—the core focus of the Bill—for that condition. That area must definitely be brought to the forefront of mental health training, and it is something that other services have already started to address.

In May 2016, changes to standard operating procedures were introduced in police forces across the UK to reflect new mental health procedures and help officers to identify ABD in people. The procedures state:

"The purpose of the procedure is to ensure that officers and staff recognise the heightened risks associated with Acute Behavioural Disturbance/Excited Delirium during and post-restraint, including the immediate emergency actions that need to be taken. Officers and staff are requested to ensure that they familiarise themselves with symptoms and a Summary of Guidelines for restraint and the management of this condition.

Acute Behavioural Disturbance is to be treated as a medical emergency. ABD/ED is a rare form of severe mania sometimes considered as part of the spectrum of manic-depressive psychosis and chronic schizophrenia. Persons suffering from ABD/ED are highly vulnerable to sudden death from cardiac arrest, during or shortly after a strenuous struggle."

This is a development in training where predominantly ABD or ED, I understand, were not commonly mentioned. I have been told that most police officers have never heard of ABD and were not aware of the symptoms. The police officers who had had joined the force more recently than those who had not heard of ABD and knew very little of the disorder's consequences. Police officers have often identified the symptoms of ABD as simply that of alcohol or drug misuse and therefore characterised these incidents simply as violent and aggressive behaviour.

It is important to know that ABD can stem from several other contributing factors to agitation, aside from psychosis and substance abuse: metabolic problems—diabetes, for example—can cause changes to blood sugar levels, causing severe personality changes; acute brain inflammation; limited oxygen supply to the brain, which can be caused by conditions such as pneumonia; and broader, more general illnesses such as severe sepsis. This means that acute behavioural disturbance could be a far more common issue than people think, particularly when we tot up how many people have those conditions.

Referring back to the revised procedure on this, a concerted effort has been made to ensure that officers are better equipped with the knowledge of how to recognise these symptoms more readily so that they are less likely to be confused with general aggressiveness. It states:

"Many of the signs indicating ABD/ED are common to anyone behaving violently. Therefore, it is important for officers and staff to recognise the difference between Acute Behavioural Disorder and a violent outburst."

It then goes on to list the symptoms that I have principally mentioned, along with additional ones, such as "constant physical activity without fatigue", and "excessive strength/continued struggle despite restraint", as well as "acute psychosis with fear of impending doom; hyperthermia...abnormally rapid breathing... abnormally rapid heart rate".

It states:

"Officers and staff must recognise the heightened risk factors: A person is intoxicated with alcohol or drugs; A person is substantially overweight; A person is suffering respiratory muscle fatigue (exhaustion)."
My point is that if other public services, such as the police, are making an effort to do awareness training on this issue, why is the primary service dealing with these things not making such an effort? I would go so far as to say that I do not know, in many respects, whether it is laziness or ignorance, but it is absolutely unacceptable that training is not given as a matter of routine to people in mental health institutions, given the issues that I have raised. It is deplorable that a potentially life-saving training topic is being left to the police to deal with. Are we really going to end up in a country where we have to rely on the police to aid in these medical ailments? I sincerely hope not.

11.15 am

Mental health has already been highlighted as an area with a lack of knowledge surrounding it. The amendment is not one that is simply nice to have—it is absolutely crucial in the evolving area of mental health. It is impossible to argue that it should not be in the Bill. I know that the hon. Member for Croydon North agrees about how beneficial it would be. Is there anyone else in this House who could disagree that this should be covered in the list of areas in statute for training among staff? How can the two most important areas of training that the Bill seeks to deal with, in the case of Mr Lewis, not even be covered? The idea that we may put it in guidance at a later date is not good enough. These things must be in the Bill.

I hope that the Government make sure that the amendments are included, and I am grateful that the hon. Gentleman accepts that they should be. Our job in this House is to make sure that the Government put them in the Bill, given that, I suspect, if they had had the time to consider it, they would have agreed to do so. Let us force them to do it. I hope that the Minister, having listened to those cases, will decide that never mind the write-rounds, these things need to go in the Bill today.

Sir Christopher Chope: I certainly agree with my hon. Friend about the necessity of putting the two amendments in the Bill, and I think that everybody who has been listening to his speech will be of the same opinion. I wonder whether he would be able to tempt the Minister to intervene now and say that, having heard my hon. Friend’s compelling case, the Government will indeed accept amendments 11 and 12.

Philip Davies: There you go, Madam Deputy Speaker. What can you say? The civil service script has been brandished. There is always a reason in the civil service why anything should not be done, but all I can say to the Minister is that, to be perfectly honest, the idea that it is not necessary could apply to every single individual thing that is already listed. If we wanted to go down that line, we could say that all these things are being done anyway individually by this person or that person. Either there has to be a comprehensive list of things that the Government feel are essential, which must be covered in the training, or they do not. How on earth, knowing what happened to Mr Lewis and in the other cases that I have mentioned, can anybody stand up and say, “Having listened to that, we do not think these things are absolutely necessary.”? It is literally beyond belief. We literally could not make it up. It is a shameful situation that we have got ourselves into, to be perfectly honest. I will let people decide which side they are on. I hope that we can test the will of the House on those amendments, so we can see what people make of them and whether they want to be in the civil service box of deciding that nothing needs to be done, having listened to those cases. We will let the House make its mind up, and that is that.

Sir Christopher Chope: Looking at the amendments on what should be in the training, has my hon. Friend had a chance to look at my amendment 98? It would introduce into clause 5(2)(a) the involvement of “patients” and “their families” in the planning, development and delivery of care and treatment. It seems that with the cases that he has cited, family involvement can be crucial, and this should also be part of the training.

Philip Davies: The answer to my hon. Friend’s question is yes—I have looked at his amendment and agree with it. If he would allow me, I had planned to go through my amendments first, before moving on to other people’s. I have his amendment in my sights and I will come to it later. I have read it and very much agree with him.

My next amendment—amendment 14—moves us on to clause 7(2), which states that reporting the use of force “does not apply...where the use of force is negligible.” My proposal would amend it to include restraint that does not include physical contact. The amendment would ensure that there is a not a series of pointless recording of every interaction with a patient that falls under the category of restraint. I am still using the word “restraint”, but I am appreciate that I am in danger, at the end of these amendments, of losing the battle, and that it will be called “force”. However, for the purposes of putting forward my amendments, I will still call it “restraint”, as I am seeking to do. Restraint is defined in the dictionary as the “deprivation or restriction of liberty or freedom of action or movement.” It must be reiterated, however, that it can be conducted in the most subtle of ways. The law entitles people to freedom of movement provided that they are not harming others or themselves while exercising that right. The policies of NHS services vary between trusts. Overall, the guidance for all medical staff follows the same basic principles, but specific details are more varied.
It would be fair to say that health trusts across the board consider physical restraint to be a last resort that should be used only following the exhaustion of all other methods. Staff are advised to call for the assistance of security when physical restraint is considered, as they will have been trained in restraint techniques. Bradford District Care Trust advises that the assistance of police be called upon only as a final resort when usual restraint methods have failed and there is a serious concern for the safety of the patient, staff or other patients on the ward. I have been told that as a general rule a patient would have to be exhibiting sustained high levels of physical aggression, often involving some kind of weapon, before the police were called.

Some services, such as the London Ambulance Service, apply a different approach and advise that police be called at the earliest sign of physical restraint being required. That is due to the service not providing its staff with training in physical restraint and therefore leaving them vulnerable without the back-up of police services. In all cases of restraint, staff are required to apply the principle of using the least restrictive and most proportionate option to control behaviour, for the least time possible. Again, the word “proportionate” is reiterated through the guidelines on restraint, which reminds us that it is consistently a consideration when restraint is conducted.

The types of restraint fall into three categories: low-level restraint—interventions that prevent a person from behaving in a way that threatens to cause harm to themselves, others or trust property and/or equipment; physical restraint—any manually applied method, be it physical, mechanical, material or equipment, that immobilises or reduces the ability of a person to move their arms, legs, body or head freely; and chemical restraint—a drug or medication used to manage a patient’s extremely violent or aggressive behaviour that can be administered, if necessary, against the patient’s wishes. Such drugs might, of course, also be used when the threat of harm is less immediate, with the patient’s consent, or if it is in the assessed best interests of a patient who lacks capacity.

Low-level or psychological restraint methods are the initial exercises conducted to try to prevent a situation from escalating quickly. Most often, this will be a variation of calming methods, which are less restrictive than methods in other categories, and which can ultimately allow the patient to have a timeout in isolation to calm down. Essentially, that can be as simple as telling someone not to do something or depriving them of equipment or possessions that may enable them to do what they otherwise would do—for example, removing glasses, hearing aids and mobility aids. It is less invasive and more frequently used with those who suffer with dementia.

Those less invasive approaches to patients allow them to retain a certain element of control over the outcome, but it is precisely those approaches that I fear will fall through the loophole of being constantly recorded, which will take the time of carers and care trusts away from the patients who actually need help. The key restraint methods the Bill is concerned with are those that require an element of physical contact, which should be reported appropriately. It is important that we remove the need to report minor interventions, which are not really at the heart of the Bill.

In the interests of time, I will group the next few amendments together. Amendment 15 to clause 7, on recording the use of force, would remove paragraph (k). Amendment 17 to the same clause would remove subsections (9) and (10), which require the recording of relevant characteristics of the patient—race, sexuality and so on. Amendments 21 to 30 are to clause 7 and amendment 31 is to clause 8, on statistics prepared by mental health institutions. Amendment 21 would insert new paragraph (q), which would add “the relevant characteristics of the staff involved (if known)” to the list of relevant characteristics in subsection (9). The other amendments would change the list to include the relevant characteristics of both patients and staff, make the list plural to cover both patients and staff and include the relevant characteristics of the staff involved.

Amendments 32 to 35 to clause 7 would remove paragraphs (c), (e), (f) and (h), which deal with a patient’s marriage status, race, religion and sexual orientation. Those amendments would remove such unnecessary labelling of patients. I am not one for putting people into categories, and I am not a fan of labels. All these things are irrelevant to the treatment of people with mental health problems, and we should not be getting bogged down listing everybody’s gender, race, sexual orientation, marital status and so on. It is all irrelevant to the treatment of people with mental health problems, and we should not be bogging down the staff with all this political correctness.

Sir Christopher Chope: Is it not extraordinary that the list to which my hon. Friend refers makes no reference to whether the patient has any family or relatives?

Philip Davies: Again my hon. Friend refers makes no reference to whether the patient has any family or relatives?
He indicated in his opening remarks that he had sympathy with it, and I am grateful to him for that. I hope he agrees that it is not just useful but essential if we are going down this route.

The Bill also asks that the police wear body-worn cameras so as to literally give a full picture of their involvement in these cases. Why are we only reporting one side of the story when the police are not there? If the relevant characteristics of the staff are included in the report, the recorded statistics might give a better representation of the matter. I feel that the provision I suggest in the amendment was not originally added because it might highlight a very different narrative from that which some would like to present. One particular concern I have is that these reports will be used to try and back up the questionable argument of institutional racism in the health service, despite studies showing a lack of early diagnosis of mental health illness and psychosis because of a lack of trust in mental health services among people from BAME communities.

It is consistently documented that BAME patients, particularly those with African and African-Caribbean backgrounds, are more likely to be diagnosed with a form of psychosis, and to enter the mental healthcare system via a more confrontational approach than would be the case through a routine appointment with a GP. That is the basis for the institutional racism argument. However, it should be considered that the suggestion of institutional racism in the mental healthcare system is what is preventing people from seeking early medical help in the first place. It is not helping the situation; it is making the situation worse. People are being told, “Don’t enter these services, because there is institutional racism”, and that is not helping anyone.

11.30 am

The genuine, present issues that need to be addressed are whether patients are being treated early enough in their illnesses, and whether the treatments are sufficient to enable them to sustain mental wellbeing in the future. It strikes me that a huge section of the Bill is bogged down in stuff that is not important at all. I am not sure whether it was just an afterthought—“We’ll lob this in as well”—or whether it was intended to be central to the Bill, but I do not think it will help anyone’s mental health treatment. It will merely help lots of politically correct organisations around the country, which will start stamping their feet and saying that the public sector is institutionally racist. I do not believe that that is the case, and, as I said at the outset, I do not think there is much evidence to suggest that it is.

Amendment 16 would insert a new subsection (6A) in clause 7, which is entitled “Recording of use of force”. It would require records of use of force to be added to the patient’s medical records. I would like to think that that is a rather obvious and sensible measure, and I have a feeling that the hon. Member for Croydon North would be quite sympathetic to it. It would ensure that the use of restraint against a patient was documented on the patient’s records, which would help people to know how to deal with the patient in the future. Someone who did not happen to be present at the time, or a new member of staff, would be able to see the information that I think is crucial to the way in which people should or should not be treated in any particular circumstance.

It is worth bearing in mind that a key argument in favour of the Bill is that there is currently no consideration of whether a patient has experienced a history of abuse or violence, and whether there are therefore some forms of restraint to which he or she should not be exposed. The one thing that is missing in the middle of all the reporting, statistic taking and analysis is the patient’s case. The purpose of restraint techniques is to prevent patients from causing harm to themselves and others around them when they are experiencing what could arguably be a very dark and turbulent period of their lives. Those methods are being branded tactics to control and humiliate patients, when in fact they are part of a broader care plan to protect the patient. That often seems to be forgotten. To put it in simple terms, they can form part of the patient’s overall treatment. I find it astounding that unless the Government change their mind, these instances will not be documented in individual medical notes as they should be.

Sir Christopher Chope: I think we have all encountered constituency cases in which people suffering from mental illnesses are shifted from one location to another—from one clinical commissioning group area to another, or from one part of the country to another. In one of my constituency cases, someone is being told that they must go up to Manchester to be treated for a mental condition. If people are being dealt with in different locations, it is all the more important for there to be one set of medical notes that records everything that has happened.

Philip Davies: That is a very good point. I had not mentioned that people might be moved from one institution to another, but that, of course, makes the amendment even more important. I am not in favour of excessive bureaucracy, but that strikes me as being an essential part of what the Bill is intended to achieve. The purpose of my amendment 16 is to deliver the Bill’s original aim. In fact, that is the theme of all my amendments. They are certainly not intended to weaken the Bill; if anything, they are intended to encourage the hon. Member for Croydon North to go further. The amendment is not just something nice to tag on to the Bill. I think that it goes to the heart of what the Bill should be about. Restraint techniques should be documented in medical notes to provide other medical practitioners who are treating the same patient with an overview of how that individual patient responds to the use of that form of restraint. I cannot see why that should not be part of the Bill.

Mr Reed: I am sorry to intervene on the hon. Gentleman—I know that he is trying to be as brief and succinct as he can possibly be. [Laughter.] I take his point about medical records. I—like him, I suspect—believe strongly in patient empowerment, and I think that there is a case for the inclusion of records of restraint in patients’ medical notes. However, I am loth to support changes in the Bill when we have not consulted either patient groups or medical professionals. Given that it is possible to make this change through guidance after the Bill is enacted, if the Minister will give an assurance to that effect, I shall be content to deal with the issue in that way, because that would meet the objective for which the hon. Gentleman is arguing.
Philip Davies: As I said at the start, I genuinely appreciate the constructive way in which the hon. Gentleman has approached the Bill, and he has just given another indication of that. The question is—this is the dilemma that we always seem to have on a Friday—whether we should rush through legislation that we know is not as it should be, and try to patch up little defects with a bit of sticking plaster here and a bit of sticking plaster there, or whether we should make an effort to ensure that the Bill is in a fit state in the first place.

The hon. Gentleman is arguing—it is a perfectly respectable position to hold—that it is all right to gloss over the fact that lots of really important things are missing and to provide a big sticking plaster called guidance, telling people, “Here is some guidance. We forgot to put this in the Bill, by the way. It should have gone in, but we did not sort it out in time. Parliament couldn’t be bothered to do its job properly, so here is a list of all the things that you should and should not be doing.” That is a perfectly reasonable case to make, but I take the view that when we pass legislation in the House, we should be a bit more mindful of the people who will have to implement it, and make sure that it is fit for purpose the first time round.

It seems to me that it is possible for everyone to be satisfied. The last thing that we want is for the Bill not to go on to the statute book. It is broadly a good piece of legislation—although, as I have explained, I have reservations about it—but I think that we have an opportunity to make it better. We have three options. The first, which is the ideal option, is for the House to put the Bill into proper shape and accept some of my amendments, which I think are clearly necessary. The hon. Gentleman himself accepts that some of them should have been in the Bill originally. Secondly, we can opt for the sticking plaster route: we can cock it all up ourselves, then put a sticking plaster called “guidance” over it and hope that someone will be responsible for sorting it all out. Thirdly, we can give the Bill another slot at a future date so that the Government have time to consider and do their write-rounds, and the hon. Gentleman can do a bit more consultation. Hopefully we can deal with the Bill later in the year, along with some of these amendments—either agreed or not agreed—on the basis of the write-rounds and the consultation. That seems to me to be the most sensible way of going about it.

I think that what is important is for a sensible piece of legislation to go on to the statute book. There are plenty of days left in the current Session on which we could deal with the Bill. Putting everything that should be in the Bill in guidance at the end does not really do it for me. It might do it for the hon. Gentleman, it might do it for the Minister, and it might get us over a little hurdle, but I do not really think that it is the best way to pass legislation in the House.

Sir Christopher Chope: My hon. Friend sets out the three options very clearly, and if we went for the last of them that would give the Government an opportunity to produce the draft guidance so we can see what will be in it. What has concerned me so far is that the Minister has said that quite a lot of the things my hon. Friend and I think should be in the Bill are not necessary, and the Minister is not even saying they should be in the guidance. If we get the draft guidance, we will be able to see where we stand.

Philip Davies: My hon. Friend is right. The Minister is doing her best; she does not decide the Government’s bureaucratic nonsense of decision-making strategies and all the rest of it. This is not her fault; she is left in a difficult situation, and I am the first to appreciate that. But as my hon. Friend says, at present we are not even getting a guarantee that these things will be in the guidance; we are being told they might be dealt with in the guidance, and even that there is an expectation that they might be. But I have been here long enough; I have been shafted before on private Members’ Bills where I have been promised that an amendment will be tabled in the Lords to deal with something and then it never arrives. So a bird in the hand is certainly worth more than two in the bush, particularly when it comes to Government promises on amendments and guidance in my experience. That is not a party political point; both sides have been guilty of that in the past. I am therefore looking for a bit more than a waft here and a waft there suggesting this might be covered in guidance; I am looking for something a bit more concrete than that. Indeed, I do not think it does the Bill justice if it goes through Parliament when it is not in a fit in a state; we all want to see it in a fit state.

My amendments 18 to 20 to clause 12 relate to police body cameras. I propose to change subsections (1) and (2) to say that police “should...try to”, rather than “must”, take a video recording. I also want to remove subsections (4) and (5) which make police “liable to criminal...proceedings” if they fail to take a video.

As the College of Policing has stated, it is an indisputable fact in today’s society that law enforcement officers carrying out their duties, and the tactics they use, are under greater scrutiny than ever before. That is a good thing, and I am a massive fan of police body-worn cameras; they are fantastic for the interests of justice, and they safeguard the interests of police officers, who often face vexatious complaints. The footage can be produced to show that what they did was absolutely right, which is almost always the case. That is fantastic for the courts, too, because they can see at first hand what actually happened, rather than have to deal with conflicting accounts and have to choose to believe one witness over another and so forth. I am therefore a big fan of body-worn video cameras, and they are often the modern method of detailing interactions with the public by the police. Their aim is to improve the accountability and transparency of police conduct when police officers encounter the public. This is a move that the Home Office highlighted at the time of their launch as being the technology of the future, and as a means to help save police time and improve working practices.

General procedure for using the devices is that they are to be used only for recording encounters with the public and are not to be constantly recording for the duration of a shift. The policy of West Yorkshire Police, which covers my area, on body-worn camera video advises that it is to be used where a degree of investigation or exercising police powers is required unless there is a good reason not to. The rationale for not using body-worn video cameras may need to be explained at a later stage, and justified to a supervisor and/or during court...
proceedings. The recording must be proportionate, and the effect it may have on individuals and their privacy must be taken into account. It is advised that the cameras be switched on the moment the incident becomes apparent, and in some cases this may be en route for the incident. However, it is stated that officers must announce that they are using the recording equipment in clear wording: for example by saying, “I am wearing and using body-worn video. I just need to tell you that; you are being videoed and audio recorded.” The recordings taken are stored on the camera until they are returned to their docking station at the police station. From there, clips are downloaded and sent to the central system for viewing. These clips cannot be altered, changed or deleted by the officer in any way, which keeps them completely authentic for evidence purposes.

11.45 am

The cameras differ between forces. At present there are a couple of different ones available and their performance is equally varied. Most common among forces, including West Yorkshire Police, are the reveal cameras. The device is rectangular in shape with a large proportion of it being a screen showing the other person that they are being recorded. The camera at the top of it is on a rotating axle so that it can be adjusted and repositioned each time it is used. It also has a switch at the side to flip up and down to switch it on, and that operates a red light that flashes to draw attention to the fact that it is recording. Alongside the flashing, it is also said to make a loud beeping noise for the same purpose as the flashing light, which I have been told is irritating and probably unnecessary. In essence, it is designed to be simple to use at short notice.

The effectiveness of such technology is clear. Results from randomised control trials have shown improved efficiency in delivering criminal justice by an increase in early pleas or higher prosecution rates. Alongside that, it is noted that the benefits of using these cameras may include improving public confidence, reducing crime, and reducing the number of complaints against police officers, and that they provide a useful tool for the training and professional development of police officers.

A US study of the use of these cameras, published in a scientific journal, was conducted in California in 2014. It examined the impact of body-worn video by measuring the number of incidents of police use of force and of complaints where officer shifts were assigned to either an intervention with cameras recording all contact with the public, for which there was a total of 489 shifts, or a control without cameras, a total of 499 shifts. The main findings were that body-worn video reduced police use of force by 50%. This was also reflected in the number of complaints falling from 24 in the previous year to just three in the year of the study. The authors of the study speculated that the video-taping of police-public interactions may result in socially desirable responses: when people know that they are being recorded, they tend to exhibit more desirable behaviours and are more likely to follow the rules of contact.

In the UK there were several trials of body-worn video ahead of a wider roll-out. Hampshire Constabulary conducted a trial in 2013-14. It was reported that the findings were relatively positive. It noted a small reduction in overall incidents classified as crimes when compared with before and after pilots in other regions. When interviewed, police officers recommended that they should focus on incidents most positively affected by body-worn video such as low-level and high-volume incidents of public order and antisocial behaviour. In a public survey following this, it was found that 90% of people thought these cameras would help the police gather evidence, identify criminals and increase the likelihood of successful convictions.

At a trial in 2006-07 in Renfrewshire and Aberdeen there were also some positive outcomes. As in Hampshire, there was praise for the technology for making the public feel safer and improving public confidence in the police. There were more technical issues with the cameras, however, and since 2013 Police Scotland officers have recorded a total of 302 faults with the equipment, with the total number of problems reportedly doubling from 57 in 2014 to 120 in 2016. It is estimated that the cameras are deployed up to 50,000 times annually in Scotland alone, and it is claimed that the number of reported incidents each year is approximately 0.03%. That percentage may not seem high, but in real terms it still represents a large number of incidents that are not being recorded because of problems with the equipment.

The faults include an inability to download videos, digitally assigning cameras to officers, and recordings from previous shifts still being present on the camera, alongside more functional issues such as short battery life and cameras taking a long time to warm up when they are switched on. These factors are all pertinent when putting provisions in a Bill such as this one. More recent generations of the technology have worked towards combating these issues. The on switch now goes on automatically with virtually no warm-up time. Battery capacity is now designed to cover the recording requirements of an entire shift, with the recording capacity to support two to three-hour video. Officers are also being given an option to charge the camera remotely via a USB.

The success of body-worn video has prompted other services to review how it could play a part in their working life. Recent trials have taken place in the Barnsley Hospital NHS Foundation Trust’s security department. The main issue is trying to combat antisocial behaviour and aggression towards staff, which the trust identified as generally coming from disruptive patients, who were the primary force behind the decision to use the cameras. Aggressive behaviour was divided into two categories: medical and non-medical—that is clearly unique to the NHS—and the vast majority of assaults on staff involved non-deliberate or medical violence, which derived from patients who were unwell. The trust stated that the move was taken to collect evidence, when needed, to share with the police.

During the pilot phase, one of the on-site hospital shops was burgled. The security officer present had used a body camera to record the incident, and the footage was shared with the police. The trust found that the cameras provided excellent support as a deterrence measure. Security staff reported that violence towards them had decreased dramatically as a direct result of wearing body cameras, with violence and aggression issues decreasing by 80% across the Christmas period. After the full 12-month trial, it was reported that medical and non-medical violence and aggression had decreased by 12%, and it was believed that this was due to the use of video cameras.
The use of body-worn cameras is beneficial to the public and to the professionals who use them. Trials conducted by the police have shown that the benefits of using the equipment far outweigh any disadvantages. With technology developing at such a rapid pace, the opportunities for recording detailed accounts will give our services the ability to conduct their work with the security of reliable and unlimited technology. What must be considered, however, is the extension of the use of body-worn video fully to other services beyond the police. The trials in the NHS, to which I have just referred, show that there is a clear need for this, and it should be considered as part of this Bill.

To reiterate, I do not mean that all NHS staff should be equipped with a camera. They should be issued for use by those who are trained to conduct restraint of patients. The video should then be downloaded to a centralised system and added to the restraint data that the trust collects to be viewed. Again, it must be observed that written data on restraint are collected by hospital trusts. As I have previously mentioned, the video of such restraint would allow a full picture of the restraint to be observed for the evidential justification of such actions.

My point is that varying factors need to be taken into account in relation to the absence of a police video. I do not feel that they have been taken into account in the Bill. Stating that officers “must” take a video does not factor in the possibility of a scenario in which it is simply not possible to do that, or that there could be mitigating circumstances that will prevent them from doing it. Body-worn video has resulted in a marked improvement in reporting crime, and it has been rolled out to other services. Further to this, simple technology failures could make it difficult to produce a video. Making a police officer liable to criminal proceedings because they have not taken a video is excessive and absurd.

Kevin Foster: I thank my hon. Friend for giving way. It is always a pleasure to have an extended opportunity to hear him speak on a Bill. His amendment proposes to replace “must” with “should consider taking”, when the words “if reasonably practicable” are already in the Bill. Similarly, his amendment 19 would introduce the rather vague concept of trying to do something. Hon. Members are usually rather doughty in wanting to take vague provisions out of legislation, but in this case my hon. Friend wants to put some in.

Philip Davies: I understand the point that my hon. Friend is making. Equally, I am not keen on unnecessarily criminalising decent police officers. My fear, which I know my hon. Friend does not share, is that that could well happen. It could also be the case that the officer would be acquitted following a long disciplinary process and trial. That often happens to police officers, but we should not underestimate the hurt that results from their having to go through all that. I am trying to prevent unnecessary disciplinary and criminal proceedings being taken against police officers.

Kevin Foster: I thank my hon. Friend for giving way again. He gave the example of the pilot schemes, and body-worn cameras have led to a reduction in complaints against police of over 90%, which deals with the point he makes.

Philip Davies: I made it clear that I support and encourage the use of such cameras, but there may be occasions when, for whatever reason, they cannot be used, and the wording says “must”.

Jackie Doyle-Price: I completely agree with my hon. Friend’s points. It was precisely to address such concerns that the phrase “if reasonably practicable” was placed on the face of the Bill. To clarify, we do not want the fact that a police officer is not wearing a camera to impede them from doing what is right in this context. My hon. Friend raises concerns about the potential for the criminalisation of police officers, but that is not our intention. The subsections to which he refers are consistent with those in the Police and Criminal Evidence Act 1984, and they are there just to remind the police of their obligations. He rightly draws attention to the fact that cameras protect police officers as well as patients. As a force for transparency, they are an effective tool. I reassure my hon. Friend that his concerns are addressed in the Bill.

Philip Davies: I am grateful to the Minister for that, and I am sure that police officers will be grateful, too. However, I just feel that there are occasions when it may be practicable to wear a camera, but for whatever reason—the pressure, time or the heat of the situation—they forget, and I wonder what will happen in such cases. There could be a situation in which it is practicable for them to wear a camera but, owing to the noises they make and the flashing lights or whatever, they think, “You know what? In this circumstance, I’m unsure I’m going to do that, because it might make this patient worse.” I worry that there are insufficient loopholes, so to speak, for police officers who are trying to do the right thing in difficult situations and that we are in effect trying to make things more difficult for them. I fear that, as a result of this Bill, criminal proceedings will be brought against a police officer that never should have been brought. It is all right to say, “We don’t think that that will happen,” but these things do happen. I want the law to be worded to make that as unlikely as possible. That is my only concern, and we will see whether my fears are realised.

Sir Christopher Chope: Is there any evidence to suggest that the police will not want to protect themselves by taking body-worn cameras to such incidents? Why do we need this measure in the Bill at all?

Philip Davies: My hon. Friend makes a good point. The evidence is that police officers are the biggest supporters of body-worn cameras. They are crying out for them and want to use them more often, and they want the cameras to have a longer battery life. I agree
that it is entirely unnecessary, so do we need to go down the road of criminalising police officers because they forgot to wink a camera? It might have been entirely practicable, but they may have simply forgotten. Should that really be a criminal offence? I am dubious. We ought to be giving our police officers more support, not trying to make their lives harder.

I have been discussing my amendments, but other right hon. and hon. Members have tabled several amendments, and I want to start on those by discussing new clauses 1 and 2, tabled by the hon. Member for Croydon North. I understand what he is seeking to do, to prevent a coroner making an inquest into a death at the hands of the police, the Independent Police Complaints Commission—already I think it has a new title these days—will get involved and all the rest of it, so why should other deaths not be subject to a similar procedure? That is a perfectly respectable point, and I have every sympathy with that view.

12 noon

I contacted my local trust, the Bradford District Care NHS Foundation Trust, about these points, and it is worth putting on record the fact that it said:

“...the death of a patient under the circumstances...” covered by the Bill—

“would be investigated as a Serious Incident...in line with NHS England’s “Serious Incident Framework.” Once an SI has been identified we have 12 weeks in which to complete our root cause investigation and report. The family of the deceased would be invited to be involved in that process from the outset...the only thing that might prevent us from proceeding with an SI investigation would be if the police told us not to for fear of prejudicing their own investigation. In other words, the initial NHS-led investigation would be very quick. I cannot speak for the police’s internal investigation. If an independent, external review is also required that can take a very long time (which might be an unintended negative effect of insisting that all inpatient deaths are automatically subject to external review).”

Mr Reed: I look forward to hearing the Minister address that point because I believe that she has proposals on how we take this forward. May I just take this opportunity to welcome to the Chamber Seni Lewis’s parents, Aji and Conrad Lewis? Following the tragic death of their son in 2010, they had to fight for seven years, because of a botched internal investigation, to secure an inquest to find out what had happened to their son and why he had died, and to secure the modicum of justice that surely they, as bereaved parents, deserved right from the start.

Philip Davies: I am very grateful for that intervention, and I also very much welcome them and salute them for everything they have done in Mr Lewis’s honour. I would just say two things to them. First, they have a fantastic Member of Parliament who has done a great job representing their interests in the House—they should be very proud of their Member of Parliament. Secondly, we are all agreed that it is essential that this House passes laws—through this Bill, we hope—that will ensure that what happened to Mr Lewis will never happen to anybody else ever again. That unites everybody in this House on how we take this forward. May I just take this opportunity to welcome to the Chamber Seni Lewis’s parents, Aji and Conrad Lewis? Following the tragic death of their son in 2010, they had to fight for seven years, because of a botched internal investigation, to secure an inquest to find out what had happened to their son and why he had died, and to secure the modicum of justice that surely they, as bereaved parents, deserved right from the start.

Norman Lamb: I am conscious of the fact that the hon. Gentleman has been speaking for two hours. He is raising legitimate points, but I feel passionately that the Bill has to be passed into law, and I know that many other hon. Members share that view. I have a real concern—I do not think this is his intention; I hope it is not—that we could end up with the Bill being talked out today, which would risk it being lost. It would be a tragedy if that happened, and I urge him to allow other Members to contribute to this debate so that we can reach a conclusion.

Philip Davies: I hear what the right hon. Gentleman says, but clearly he has not heard what I have said. The Bill would not be lost, as he well knows. He has been here long enough to know exactly how procedure works in the House. As the Bill has already started its Report stage, it would very easily slot to the top of the queue on a future date, when it could go through. I hope that it would go through in a better state, once the Government have had time to look at the amendments that they need to consider in order to make the changes to the Bill that the hon. Member for Croydon North has agreed should be made. All I am trying to do is to deliver what the hon. Gentleman wants in the Bill.

Mr Reed: Although I agree with the hon. Gentleman that I would like to see changes, I am perfectly happy to accept the Minister’s assurances about dealing with them through guidance.

Philip Davies: We have been around that issue, so I do not intend to revisit it again. The fundamental amendments 11 and 12, which I have addressed at some length, go to the heart of what happened to Mr Lewis on that terrible occasion. They would ensure that training was given to staff to ensure that those things could not happen again. It is therefore essential that those amendments are made to the Bill and that these things are not just dealt with as part of guidance, which may or may not then be covered off by individual trusts. We have a duty to make sure that the things that happened to Mr Lewis are absolutely covered in the training given to staff.

Sir Christopher Chope: My hon. Friend is absolutely right not to fall foul of the scaremongering, because we are fortunate to be in a much longer Session than usual, and the Government are still to announce the extra Fridays that will be available to discuss private Members’ Bills. If a Bill such as this is supported by everybody in the Chamber—by the Government and the Opposition—but there is need for further improvement, why not improve the Bill, rather than putting it on the statute book in an imperfect state, given that we know jolly well how difficult it would be to amend it later through a further private Member’s Bill? Let us make this a good Bill.

Philip Davies: The Bill will definitely conclude its Report stage at some point, but if it does not pass today, it will not be my fault. For goodness’ sake, we still have two and a half hours to go. The Government still have plenty of opportunity to say that they will accept amendments 11 and 12, and if they do so, the Bill will go through today. If they need more time to do a write-around before those amendments can be agreed, that is literally in not my hands, but the Government’s. If they want the Bill to get through today—

Jackie Doyle-Price rose—
Philip Davies: I hope that the Minister is going to make us all happy.

Jackie Doyle-Price: My hon. Friend is again miscalculating the Government’s position. Our position is that the amendments are not necessary. I have already outlined to the House that the specifics of the role and the responsibility of police officers on these occasions are subject to a memorandum of understanding on which the College of Policing, which my hon. Friend has praised, has led. I ask him again not to press his amendments, because they are not necessary.

Philip Davies: Perhaps when the Minister responds to the debate she can tell us which amendments the Government would accept if they could get their write-around sorted out in time—[Interruption.] The Minister indicates “none” from a sedentary position, but that is absolutely not what the Government communicated to me yesterday. They said to me yesterday, “I wish we had seen these amendments earlier.” The Minister’s indication flies in the face of that.

Sarah Jones (Croydon Central) (Lab): Members have had six months to table amendments, so perhaps the hon. Gentleman could have speeded up the tabling of his.

I support my hon. Friend the Member for Croydon North (Mr Reed) and his Bill, but there is a suggestion that it needs to be improved, and we must of course all look into what improvements could be made. I should point out, however, that the organisations that support the Bill in its current form include the Royal College of Psychiatrists, the Royal College of Nursing, the Care Quality Commission, NHS England, YoungMinds, Mind, Agenda, Rethink Mental Illness, Inquest, the GMB and Unison. With all those very good organisations supporting the Bill, perhaps we can try to make progress today.

Philip Davies: I do not believe the hon. Lady has been fair. The organisation that I am talking about is the Mental Health Act 1983 Investigation Branch legislation and the review of the Royal College of Psychiatrists’ position following dialogue with the sector and we have carried out parliamentary scrutiny. The Bill is not the only opportunity to bring forward legislation in this sphere because consultation on Healthcare Safety Investigation Branch legislation and the review of the Mental Health Act 1983 are taking place as we speak. This will not be the only opportunity for my hon. Friend to bring forward legislative proposals.

Philip Davies: Well, the only problem with that is that we will end up in the same game in which I table an amendment and the Government say that there is not time to do a write-around about it. I do not even follow the Government’s position any more. We have gone from from them saying, “We wish we’d had these amendments earlier,” to, “These amendments are not necessary.” The latest indication is that the Government do not agree with any of them.

Jackie Doyle-Price: Again, I would have appreciated sight of the amendments earlier, not least because we could have had a sensible discussion about how to achieve the outcomes that my hon. Friend wants. I am very clear that we can achieve that through guidance, which we will bring forward in consultation—we have consulted throughout the passage of the Bill—with the sector. I am talking about statutory guidance, and all institutions will need to have regard to it. We are in this position following dialogue with the sector and we have carried out parliamentary scrutiny. The Bill is not the only opportunity to bring forward legislation in this sphere because consultation on Healthcare Safety Investigation Branch legislation and the review of the Mental Health Act 1983 are taking place as we speak. This will not be the only opportunity for my hon. Friend to bring forward legislative proposals.

Jackie Doyle-Price: My hon. Friend has been a Member of Parliament for a lot longer than I have, so he will be aware that Bills set out the principles of legislation, and it is standard practice for the detail under a Bill to be enshrined in guidance.
Philip Davies: But we do not know what will be in this guidance. I am making the case that it is absolutely essential that amendments 11 and 12 are made to the Bill. The hon. Member for Croydon North said quite clearly that he agreed with them and that he also thought they should be made to the Bill. I appreciate that he is trying to find a compromise but, strictly speaking, he would be happy for the provisions to be in the Bill. I think they should be in the Bill; he thinks they should be in the Bill. The Minister has not even made a commitment that these specific amendments would be reflected in the guidance. I am literally being offered nothing, apart from her saying, “Oh, we know this Bill is not good enough. We will try to sort out a bit of guidance here and there.” We must start treating legislation with a bit more respect in this place. The Minister says that the Bill has gone through parliamentary scrutiny, but this is parliamentary scrutiny. This is the Bill’s Report stage for goodness’ sake.

Sir Christopher Chope: The Government’s line seems to be that this legislation is an urgent measure. If it is so urgent, may I ask the Minister—through you, Madam Deputy Speaker—what state the guidance has reached?

Madam Deputy Speaker (Dame Rosie Winterton): Order. The hon. Gentleman is making an intervention on the hon. Member for Shipley (Philip Davies), not the Minister.

Sir Christopher Chope: I invite my hon. Friend the Member for Shipley (Philip Davies) to ask the Minister whether she agrees that, because of the urgency of this legislation, the guidance is ready in draft form in her office and can be laid before the House tomorrow or in the next couple of weeks. I suspect that the Government have not even begun to draft the guidance, but we need the guidance before this legislation would ever be able to take effect.

12.15 pm

Philip Davies: Absolutely. It appears, to me at any rate—I do not know about anyone else—that the Government are just making things up as they go along, desperately trying to get this Bill through in any form whatever. Whether it is good, perfect or indifferent is neither here nor there. They just want to get it through, presumably so that they can say at next questions, “We got the Mental Health Units (Use of Force) Bill Mental Health Units (Use of Force) Bill through Parliament.” Well, perhaps they just want to pass any old legislation, include a few decent clauses and hope that it will do the job, but I am afraid that is not what this House should be about. It is about saying that we have identified areas where the Bill should be strengthened, and we therefore have a duty to find a way to do that. If the Government will not agree to do it today, I am afraid that we will have to try to ensure that they do it in the future.

I am determined that the Bill will go through in a proper form that will help to stop what happened to Mr Lewis ever happening again. We have to get back to the central reason for the hon. Member for North Norfolk introducing this Bill in the first place. The points on which I am focusing are not just useful add-ons here and there; they are at the very heart of the purpose behind the hon. Gentleman’s Bill. I do not really see why he should be so complacent about letting it through without these things being included.

Anyway, hon. Members have tabled amendments that deserve to be scrutinised. The right hon. Member for North Norfolk has tabled quite a few. With amendment 40, he wants to include the threat of force as part of the use of force, so that the threat of restraint would be considered the same as the use of force. I am afraid that I cannot agree with that. We do not want to deter people from warning of the threat of force, when warning of the threat of force may actually stop them having to use it in the first place. I do not really see how the threat of force can be treated in exactly the same way as the use of force. Often, threat of force seems to be a legitimate restraint technique. If staff are not threatening to use force before they actually use it, the use of force might become more likely. I do not agree with that amendment.

Sir Christopher Chope: And, of course, every threat of the use of force would have to be recorded, would it not? The threat of force was actually included in the original drafting of the Bill and was taken out in Committee, so I do not understand why the right hon. Member for North Norfolk (Norman Lamb) wants to include it again.

Philip Davies: I agree. The same applies to amendment 41—also in the name of the right hon. Member for North Norfolk—which would include the “threat of isolation” alongside isolation itself, and to his amendment 42, with which he wants to include the “coercion of a patient”. I am not entirely sure why such an amendment is needed, to be perfectly honest. He includes a definition of coercion in amendment 43, as “the use or threat of force, with the intention of causing fear, alarm or distress to control a patient’s behaviour or elicit compliance with the application of a use of force.” I am not really sure what that adds to the Bill, to be perfectly honest. I do not think that anything it does add to the Bill is something that I could support anyway. I think that he is taking these definitions a bit too far given the Bill’s purpose.

The right hon. Gentleman’s amendment 37 would insert into clause 3:

“A policy published under this section must set out that the use of force will only be used without the sole intention of inflicting pain, suffering or humiliation, or subjecting patients to torture, inhumane or degrading treatment, or without inflicting punishment or intimidation.”

With regard to using force with “the sole intention of inflicting pain, suffering or humiliation”, I look to people who are more legally qualified than me, but surely that must already be illegal. I cannot believe that that can already be lawful in this country. Therefore, this amendment is not necessary either.

Amendment 36 refers to a “description of each of the methods of restraint that may be used…what steps will be taken to reduce and minimise the use of force” and “a description of the techniques to be used”.

Paragraph (d) is the worst bit. It refers to “a commitment to reducing the overall use of force in the mental health unit.”
Would that potentially mean that restraint and force is not being used when it should be used because somebody had a commitment to reduce its overall use? Surely, we should be seeking to make sure that restraint and force are used appropriately—at the right times, in the right situations, with the right patients. As long as that is being done, the number of cases is neither here nor there. It is the appropriateness that matters, not the numbers. This amendment would mean that restraint would not be used when it should be used. The lack of trust in staff in this is something that I cannot possibly support.

Amendment 38 says that
"subsection (1) must include a patient’s right to advocacy and how to access an advocate."

Again, this may deter staff from using restraint even when it is necessary, thinking that they are going to get into a compensation culture with vexatious legal claims being made against them. We should not be passing laws that encourage that.

Amendment 79 says:
“The Secretary of State must publish quality standards for training”
and
“The Secretary of State may delegate the publication of quality standards for training”.

There is already a requirement to have standards for training; the right hon. Gentleman seems just to want to add the word “quality”. I am not sure that there is any indication that the standards for training would not be of quality anyway. It goes without saying that we want quality standards of training; we do not need to put that into the Bill.

Amendment 80 refers to “trauma-informed care”. I do not have a particular problem with that. Again, it is an issue of how prescriptive we should be in relation to the training. I have already spoken at length about that. The right hon. Gentleman makes some fair points.

The right hon. Gentleman’s other amendments include amendments 83, 84 and 85. Amendment 83 says:
“The Secretary of State must make a statement to Parliament, as soon as practicable following the publication of report under subsection (2).”

It is difficult to disagree with that, to be honest. I do not see why that should not happen. I would be perfectly happy about it.

My hon. Friend the Member for Christchurch has also tabled some amendments. His amendment 88 would “leave out ‘mechanical or chemical’ and insert ‘or mechanical’.” I think that he wants to get rid of the chemical type of restraint from the Bill. A chemical restraint can be described as a medical restraint to restrict the freedom of movement of a patient. Such chemical restraints can sometimes also be used to sedate a patient if necessary. I think that his amendment is understandable. My only concern is whether it might lead to perverse outcomes whereby chemical means of force are used more often than they should be to get round the Bill. I am a bit nervous that that may happen. I would therefore deter him from pressing ahead with it, although I certainly understand where he is coming from.

Amendment 90 to clause 1 seems to be a consequential amendment, so we do not need to deal with that. Amendment 89 would leave out paragraph (b) from clause 1(6), to remove the isolation of a patient from the list of things referred to by “use of force”. I am much more sympathetic to this amendment, because my hon. Friend makes a good point. I am sure he will express his own opinion when the time comes on why he feels so strongly about that, but my view on first reading is that it is perfectly sensible. Amendment 91 is consequential to that.

Amendment 98 is one to which my hon. Friend referred in an earlier intervention. It would insert the words “and their families” after “patients”, to allow patients and their families to plan, develop and deliver their care and treatment in a mental health unit. This is an excellent amendment. It is essential that families are involved in the treatment of their family members. In many cases, if the family could have been more involved from the start and been able to help and warn what the situation was, such problems and terrible situations would not have happened. It is a very sensible amendment, and I hope that he will pursue it with vigour, because it is really important that we involve family members in treatment.

Amendment 100, which would ensure that guidance is published no later than six months after the Act is passed, is particularly pertinent to the discussions we have been having. My only quibble is that six months may be too long, but I certainly agree with the thrust of it, which is that there should be a time limit.

Sir Christopher Chope: It all depends on when the draft guidance is produced. My amendment is referring to the guidance that emerges after any consultation. As I said earlier, I think that the consultation should take place very early, but six months is a maximum.

Philip Davies: My hon. Friend is on to something with that, and I certainly agree. It is quite extraordinary that we do not have the draft guidance already, but I will not go over that again.

Amendment 101 is sensible. It would insert the word “significant” after “any”, to require a record to be kept of any significant use of force on a patient by a member of staff. That is sensible because we do not want to include other things that should not be included. The point I make is that the word “significant” is rather subjective. One person’s “significant” may not be another person’s “significant”, and it might be a bit difficult for trusts and staff to understand what counts as “significant”. My only concern is whether that adds confusion.

Sir Christopher Chope: At the moment, clause 7(2) states that subsection (1) does not apply to cases where the use of force is “negligible”. That is refined in subsection (3). I am effectively saying in my amendment that “significant” is non-negligible.

Philip Davies: I hope that my hon. Friend will expand on that later. He makes a good point, and I am broadly sympathetic to it.

I have now gone through the amendments on the amendment paper. Different Members have tabled quite a few amendments, and therefore it takes a bit of time. I would like to think that, like the hon. Member for
Croydon North, people have been convinced of the necessity of amendments 11 and 12, which go to the heart of what the Bill is supposed to be about.

Sir Christopher Chope: Some people looking at today’s proceedings may say that my hon. Friend has been speaking for a long time, but we need to remember that when Bills are considered, the amendments are often grouped so that we do not consider all amendments in one discussion. Today, we are considering all the amendments to the Bill in one group, which I think explains why he has spoken for a bit longer than he might sometimes do.

Mr Deputy Speaker (Sir Lindsay Hoyle): Order. May I just say that we do not need to be reminded of how long the hon. Member for Shipley (Philip Davies) has spoken? All that does is use up precious time, and I know you would not want to do that, Sir Christopher.

12.30 pm

Philip Davies: My hon. Friend the Member for Christchurch will have noticed that at no point did anybody in the Chair say that I was off-subject, and there were over 100 amendments to consider.

I would like the Government to take responsibility for my amendments 11 and 12, which the hon. Member for Croydon North, the promoter, wants to include in the Bill. I hope that we get the opportunity to test the will of the House on those amendments, especially if he supports them, and we will see what Members make of them. If we do not include amendments 11 and 12 in the Bill, we are doing a really big disservice to the Bill. I hope that we get the opportunity to test the will of the House on those amendments, especially if he

Norman Lamb: In speaking today, including about the amendments I have tabled, I take a different view from that of the hon. Member for Shipley (Philip Davies), in that I want the Bill to proceed. It is not perfect—there are things that I think should be included, which is why I have tabled amendments—but it is more important to get on the statute book this very important legislation post in changing the culture in many mental health trusts than to delay it further.

I congratulate the hon. Member for Croydon North (Mr Reed), who has done a brilliant job in advocating the case for this reform, as he has in his advocacy on behalf of Mr and Mrs Lewis. It is an enormous pleasure to support him today in that endeavour. I particularly note the role that Mr and Mrs Lewis, who are present in the Gallery today, have played in all of this. They have fought their campaign with enormous dignity and with absolute determination to secure justice for the loss of their dear son. They have had a willing Member of Parliament working with them, but if the Bill reaches the statute book, it will be to their enormous credit for the battle they have fought, and we should all applaud them for the contribution they have made in achieving that.

I met Mr and Mrs Lewis when I was the Minister responsible for mental health. I remember a debate in this place in which the hon. Gentleman raised their case. I was horrified by what I heard while sitting on the Front Bench, and I agreed to meet them. I met Mr and Mrs Lewis in my parliamentary office, and I took up their concerns with the Independent Police Complaints Commission, because the case did not appear to me to have been properly investigated. They have continued to fight stoically for justice, and I pay enormous tribute to them for doing so.

My interest in this issue as a Minister arose back in 2013, when Mind did a survey showing that the use of force—I use that term advisedly—was endemic across in-patient mental health settings around the country. Not only that, but the use of force varied incredibly from one unit to another, without any apparent justification. As a result of the Mind survey, I decided that we had to review the guidance. In due course, that led to the non-statutory guidance on “Positive and Proactive Care”, which was issued in 2014.

The purpose of the guidance was to end the use of face-down restraint, which was the sort of restraint used on Seni Lewis. At the time, I was confronted by a lot of people in the sector who said, “You’re not being realistic. You can’t reduce force. You can’t stop the use of face-down restraint, because we deal with very difficult circumstances.” Yet when I listened to progressive practitioners who had worked in such units, they demonstrated that we could end the use of inappropriate forms of restraint. Tim Kendall, national clinical director for mental health, announced that his unit in Sheffield would end the use of face-down restraint, and it did. If those progressive practitioners can do that, others can as well. I was frustrated that guidance issued by the National Institute for Health and Care Excellence in 2015 in some ways contradicted the 2014 guidance by not ruling out the use of face-down restraint. I think that was a big mistake by NICE. I realise its independence, but I question its methodology in reaching that conclusion.

Why is this issue so important? It is because many people, not only Olaseni Lewis, have lost their lives as a result of the use of face-down restraint in mental health settings. Along with those awful losses of life, too many people who experience the use of restraint see and feel it as an assault on them. In many cases, people have experienced abuse earlier in their lives, including sexual abuse, sometimes as children. For a woman in a mental health setting, to be held to the floor by several men who are acting to restrain her is likely to make her experience an extraordinary sense of trauma. In many cases that results in a loss of trust between staff and patients. Units that have confronted the culture of a heavy use of force have found that when time is used for creative activity, that reduces the need for force to be used in the first place. Staff end up being safer, as well as patients in their unit, and the unit becomes a more therapeutic environment and everyone benefits.

The bottom line is that since the 2014 guidance there has been very little change—that is why the Bill is so important. The use of face-down restraint is down a little, but the overall use of restraint appears to be at pretty much the same level. That may in part be due to better recording, but the report in The Observer on Sunday suggested that injuries are up. In 2016-17, 3,652 patients and 2,600 staff were injured as a result of the use of force. In many cases, units have close to 100% occupancy and a heavy use of agency staff. They are under enormous strain and stress, which is not a therapeutic environment for patients, and the use of
force becomes almost inevitable because of the strain that everyone is under. That is why training is so important in changing the culture.

Let me deal briefly—briefly!—with my amendments. I tabled them because I wished these important issues to be included in the Bill, and it is a pity that they are not. I do not want to delay the passage of the Bill, so I will not seek to divide the House, but I hope that the Minister will give the strongest possible indication that she supports the issues I seek to raise—I think she probably does.

Clause 1 includes a definition of the “use of force”, and it is important to extend that to cover threats of the use of force, and coercion, which means “the use or threat of force, with the intention of causing fear, alarm or distress to control a patient’s behaviour or elicit compliance with the application of the use of force”.

Such coercion can be enormously traumatic for individuals who have experienced trauma in their lives, and it is important for that to be recognised in the Bill.

Amendment 37 to clause 3 states that the policy on the use of force “must set out that the use of force will only be used without the sole intention of inflicting pain, suffering or humiliation, or subjecting patients to tortuous, inhumane or degrading treatment, or without inflicting punishment or intimidation.”

That is in line with the Mental Health Act code of practice and the UN convention against torture. I am pleased that the Minister has indicated that she will deal with that in guidance, but I hope very much that it will be very clear in that guidance. If it had been on the face of the Bill, it would have helped to address the concerns of the special rapporteur on torture.

Amendment 36 would ensure that mental health units committed to reducing the overall use of force—surely that is ultimately the central purpose of the Bill—and it would increase transparency about how they intended to achieve that and what types of force were permissible in the unit. All that is absolutely central to more personalised care whereby people are informed about what might happen to them in in-patient units.

Amendment 38 to clause 4 would ensure that people’s legal rights to advocacy were properly communicated to them in relation to the use of force. People often simply do not know what their rights are, and the amendment would assist by ensuring that they did.

Amendment 79 to clause 5 addresses the importance of training in the appropriate use of force. It makes it clear that the “Secretary of State must publish quality standards for training”.

That is important because training practices are variable around the country. My preference would be for accredited trainers, so that we know that they meet the right standard and are training staff in the right way. My proposal would at least ensure that there was a national standard that people should abide by.

Amendments 80 and 81 are intended to ensure that training requirements for staff include training in trauma-informed care. That comes back to the absolute importance, when we are caring for people, of recognising the impact that trauma has had on people’s lives. It is great that clause 5(2)(g) covers training on experience of trauma, but it should be strengthened to cover not only the impact of trauma on patients’ mental and physical health, but how the use of force itself can re-traumatise people—the very opposite of what should be happening when they are receiving mental health care and treatment. Trauma-informed care is a model of care that is “grounded in and directed by a complete understanding of how trauma exposure affects” a person’s “neurological, biological, psychological and social development”.

In clause 7, on the recording of the use of force, amendment 39 would improve the transparency and accountability about the use of force by ensuring consistency in the recording of all uses of force, not just those above a threshold set in statutory guidance. The Bill as it stands states that records should not have to cover the “negligible” use of force. I understand entirely why that is in the Bill, but the concern is that guidance will be interpreted differently. That is why the way the guidance is framed will be of critical importance. There is a risk of low-level micro-aggressions—uses of force in a minor way but on a continuing basis below the radar—which can have an impact on people’s wellbeing and their potential for recovery, which is out of step with the Mental Health Act code of practice.

Clause 9 is on the annual report by the Secretary of State. According to the related amendments, the annual report should “make reference to the annual statistics” published by NHS Digital, including relevant characteristics, so that we can monitor the ethnicity of people against whom force is used, and they state that the Secretary of State should report on that and that there should be a statement to Parliament.

I do not want to take up any more time. I will end by saying that I absolutely hope that the Bill gets on to the statute book as quickly as possible. I hope that the Minister will respond to it becoming law by going on a drive nationally to proselytise and make the case for a change of culture, so that we can see a radical reduction in the use of force across mental health settings. There are very many inspiring practitioners who have demonstrated how that is possible, but we need to make sure that it is the standard and not the exception. The Minister could go down in history for achieving a dramatic cultural change if she takes the Bill, when it is passed, and really goes out and makes the case for it.

12.45 pm

Jackie Doyle-Price: First, I thank and congratulate the hon. Member for Croydon North (Mr Reed) on his tireless work getting this important Bill to Report, and I hope it makes further progress. It is an important reform that will significantly enhance the rights of patients in mental health settings and will be a force for justice. We have had numerous references to its inspiration, and I pay tribute to the dignified and determined way in which Olaseni Lewis’s family have pursued an important reform that will materially improve the treatment of patients.

The Government welcome the measures on monitoring and reducing the use of force in mental health settings. The Bill will provide clarity in several areas, including on recording and reporting, and is very much in the spirit that sunlight is the best disinfectant—that transparency is the most effective tool for ensuring
good treatment and performance. It will facilitate better and more consistent data collection, which in turn will give us better evidence by which to measure the success of the Bill and, I believe, the reduction of the use of force in mental health units. I take up enthusiastically these challenges from the right hon. Member for North Norfolk (Norman Lamb). We believe strongly in these issues or we to the public to campaign for the adoption of best practice and the minimisation of restraint. I will say more about his amendments later.

The Government have tabled amendments to clause 4 to remove an unintended consequence of amendments made in Committee, where we unwittingly inserted a loophole that might have enabled providers not to inform patients of their rights. We have made amendments to close that loophole, while still enabling an element of discretion in the system where advising patients might cause them further distress. I notice that my hon. Friends the Members for Shipley (Philip Davies) and for Christchurch (Sir Christopher Chope) tabled similar amendments. I hope they will support at least the action I have taken in response to those concerns.

The Government agree that it is important that patients have access to advocacy services, which are very much a part of the right to information on rights and something that the hon. Member for Croydon North and his stakeholders have repeatedly raised with me, but we do not want to put this provision in the Bill. That said, to reassure them about how we are treating the issue of advocacy, which the reforms are important, I remind the House that the independent review of the Mental Health Act 1983, which was set up to look at how its provisions were being used and how practice could be improved, will examine this issue. The interim report was published in May and the final recommendations will appear in the autumn. Following that, we will develop guidance through consultation. The report and recommendations will give us another opportunity to discuss this and ensure we are happy with the standards of advocacy in place. I hope the hon. Gentleman will understand why I cannot accept his representation.

I turn now to the hon. Gentleman’s amendments on the independent investigation of deaths and legal aid. I am grateful for the opportunity to address these points, which go to the heart of what he is trying to achieve in the Bill. The appalling, dehumanising experience suffered by Seni’s family during the investigation, which went on for an unacceptably long time, is really the test by which we should measure the effectiveness of the Bill.

Let me now explain why we would resist the amendment, describe the steps that we have taken to improve investigations of deaths in custody, and, hopefully, give the House some reassurance that the experience we are discussing today will not be repeated under the current regime. That is at the heart of the Bill: we want to ensure that what was experienced by Seni’s family is never repeated.

Clause 10 in its current form requires that when a patient dies or suffers a serious injury in a mental health unit, the responsible person must have regard to the relevant guidance relating to investigations of deaths or serious injuries, published by a list of organisations that are responsible for regulation, for example, NHS Improvement and the Care Quality Commission. That means that in the current NHS Improvement guidance, the NHS serious incident framework, which was last revised in 2015, will be put on a statutory footing. The framework outlines the process for conducting investigations of deaths and other serious incidents in the NHS for the purpose of learning to prevent recurrence. It requires the treating clinician to report an unexpected death when natural causes are not suspected. All deaths of detained patients must be reported to the coroner, the CQC and the provider’s commissioner as serious incidents. That will ensure that all deaths in custody are automatically reported.

If the death occurred in a mental health in-patient or hospital setting, NHS providers are responsible for ensuring that there is an appropriate investigation into the death of a patient detained under the Mental Health Act, or where the Mental Capacity Act 2005 applies. The death of a voluntary in-patient will also be investigated by the coroner, and under the NHS serious incident framework, if it was violent or unnatural. These are not inquiries into how a person died, as that is a matter for coroners, and they are not conducted to hold any individual or organisation to account. Other processes exist for that purpose, including criminal or civil proceedings, disciplinary procedures, employment law, and systems of service and professional regulation. That is an important point, because overlapping interests will need to be managed. I hope that I can give the hon. Gentleman some comfort, and reassure him that we are tackling the real problem that the Bill is intended to tackle.

Independent investigations within the framework are commissioned and undertaken independently of those directly responsible. I know that throughout our discussion on the Bill, the issue of independence was extremely important to everyone with an interest. It will be normal for the provider to conduct its own internal investigation, but that investigation will be reviewed by the relevant commissioner, and it will be for the relevant commissioner to commission an independent investigation. Commissioners must satisfy themselves that the investigation is clearly independent, and that there is no potential for conflicts of interests and no previous relationships. It will be their responsibility to establish that.

We expect commissioners to ensure that the family is properly informed throughout an investigation, and that all agencies involved in an investigation are held to account for their roles. We expect them to take the lead in commissioning an inquiry, and to take a number of steps including listing all the agencies that have had a stake in the care of those involved with the incident, and ensuring that they are aware of the process and their responsibilities in relation to the inquiry. It is up to them to identify all legal issues that may be relevant to the independent investigation or court proceedings and obtain appropriate legal advice. It is for them to co-ordinate meetings and discussions between the investigation team, the trust representatives, the police representatives and other agencies with an interest that have agreed to participate, so that all are agreed as to what their responsibilities are. They are responsible for early discussion with the local coroner. Crucially, they are responsible for informing the patients, carers and families about how the process will work and how they can be involved.

It is extremely important that as part of the investigation process the families’ needs and wishes are properly respected and they feel some ownership and accountability and can hold the process to account if dissatisfied with how things are progressing—that is extremely important.
It will be for the commissioner as well to ensure they have access to the investigation team if they so wish. I also expect the commissioner to agree the timescale for the investigation together with timings and setting a date for the report. As much as I would like to be able to say that we will never have such a situation ever again, we can never say never, and if there were to be any delay the reasons must be clearly explained to the patients and families involved as part of keeping them fully informed and making sure they are fully supported.

The serious incident framework sets out clear guidance on who should be involved in the independent investigation team and that the healthcare commissioner is to identify a lead investigator who appoints the investigation team. The framework says the following, and I will quote directly again to underline the real independence of these investigations:

“In order to ensure independence and avoid any conflict of interest, no member of the independent investigation team can be in the employment of the provider or commissioner organisations under investigation, nor should they have had any clinical involvement with the individual(s) to whom the investigation relates.

Investigators must declare any connectivity that might, or might appear to, compromise the integrity of the investigation.”

I hope that is explicit and gives the hon. Member for Croydon North some comfort about what we are doing to establish that independence.

I should also mention that we have just completed a consultation on the serious incident framework, and independence of investigations was a key theme, so we will be continuing to review this to make sure we can guarantee that independence. We will be bringing forward our response to the consultation by the end of the year, so we have another opportunity to ensure that we are satisfied that what we have is fit for purpose.

Another complication in the case of Seni Lewis was the interaction with the police investigation. That is where there is still the possibility of delay, and again we need to do everything we can to ensure that families are supported in that context.

Michelle Donelan (Chippenham) (Con): Does my hon. Friend agree that this Bill is vital and it is a testament to the work of Seni Lewis’s family? Is she as concerned as I am about jeopardising this Bill, because it is so important, not least to my constituents, that we tackle this important area?

Jackie Doyle-Price: This is an important reform that will considerably alter the balance of the scales of justice in favour of patients and bereaved families. I want it to make rapid progress, and the specific case of how long it took for Seni’s family to get a resolution in relation to his death is the inspiration for this Bill.

Sir Christopher Chope: Will my hon. Friend expand a little more on the timescale within which an independent forensic pathologist must reach a conclusion following a death? The husband of a constituent of mine died more than nine months ago, and the coroner ordered a pathology report but that still has not been carried out, causing enormous distress to everybody involved.
I want to return to concerns about the quality of investigations, and to briefly explain the role of the Healthcare Safety Investigation Branch. The Lord Chancellor is looking at how we support people going through an investigation, and the hon. Member for Croydon North has also raised the issue of legal aid. It is important that we ensure that families have appropriate support as they navigate this process. This is not just about the process of walking through the contacts with the NHS investigating bodies, which can be quite formal; they could end up in a situation involving legal action or criminal proceedings, at which point they would need that support.

Much reference has been made this morning to the Dame Elish Angiolini review, in which she was clear that all deaths in custody should be treated on an equivalent basis, and I can confirm to the House that the Lord Chancellor’s review into legal aid for deaths in custody will consider deaths in mental health settings on the same basis as deaths in prisons and other forms of custody. I can also advise the House that the ministerial board on deaths in custody constantly reviews what we are doing and how we are implementing the recommendations of the Angiolini review, so the review of legal aid for inquests will consider how it can be applied to deaths in mental health settings, too.

Kevin Foster: The Minister is making some interesting points about the legal aid review. Will she confirm what groups she is considering talking to? I am thinking of third-sector groups, community groups and, potentially, law centres.

Jackie Doyle-Price: I thank my hon. Friend for that intervention. I hope that we will continue to consider everything that we can do to support people, and I welcome those suggestions. Ultimately, such people are facing massive injustice at the hands of the state, and we should never stop looking at what we can do to support people in those circumstances. The simple truth is that those people have put their trust in the institutes of the state, so there is double pain when they are failed by them, and we must ensure that we do everything possible.

I hope that what I have said about legal aid and the investigation process satisfies the hon. Member for Croydon North, so I hope that he will not press his amendments to a Division so that we can get the Bill into the other place and deliver the objectives that he and I both want.

To clarify something that I was saying about the Government amendments, we unwittingly included a loophole that would allow institutions not to provide patients with information, and I might have suggested that that was a matter of discretion. However, it is actually in the Bill that they must provide information unless “the patient refuses” to accept it. I just wanted to make that clear in case there was any misunderstanding. The remaining Government amendments are largely technical, linking the Bill with the Data Protection Act 2018, for example, and providing clearer definitions regarding mental health units. Those are very much drafting changes, and I hope that the House will approve them.

Turning to the amendments tabled by my hon. Friend the Member for Christchurch and for Shipley and the right hon. Member for North Norfolk, I have already discussed the Government’s view on such matters, but I will refer first to the right hon. Gentleman’s amendments in relation to threats and coercion. The Government’s main concern is that putting the use of threats of force and coercion on the face of the Bill might cause confusion for staff working in mental health units when we are trying to encourage them to use de-escalation techniques. We have the same objective as the right hon. Gentleman, which is to minimise restraint, but we are concerned that the amendments might act as an impediment to what we are trying to achieve.

Norman Lamb: Will the Minister look at whether the guidance will be clear about the importance of staff not inappropriately threatening force or coercion, because that all goes down to the culture of the organisation?

Jackie Doyle-Price: The right hon. Gentleman is right about that, so let me go through the provisions we think are in place to protect patients from exactly that circumstance. The care quality regulations—the Health and Social Care Act 2008 (Regulated Activities) Regulations 2014—clearly set out the types of behaviours that are prohibited and create an offence of failing to comply with the requirement to protect service users from those behaviours. We are satisfied that those provisions would be an appropriate tool with which to tackle this issue. Clearly, we will be relying on guidance to implement much of this Bill, and I can give him every assurance that these issues will be very much part of that guidance; this process will be consultative and I am sure he will want to remind me of the undertaking I have just given him as and when that comes through.

My hon. Friend the Member for Shipley has discussed his amendments 44 to 78, providing us with his understanding of the use of the terms “force” and “restraint”. The point he made was that he wanted the Bill to be consistent with language used elsewhere in mental health settings. It is important that we make sure the language we use is consistent. The term “force” is a more overarching description of what is happening to a patient, and the individual elements that the definition needs to cover are the types of restraint. In the context of this Bill, those are physical, mechanical and chemical restraint, along with isolation. We have chosen to use the term “force” because it works alongside the Mental Health Act 1983 code of practice, with which practitioners are familiar, and it reduces any risk of confusing the drafting due to the use of similar terms, where that can be avoided. This approach has very much been accepted in our consultation with the sector. I heard my hon. Friend say that he had received representations to suggest the opposite, so I would be pleased to take that up with him offline, in order to satisfy his local care trust that what we are doing is consistent with other law, because it is important that we take everyone with us.

My hon. Friend the Member for Christchurch has tabled amendments that would remove certain types of force from the Bill, particularly chemical restraint and isolation, which covers segregation and seclusion. I am grateful to him for testing our conscience via these amendments, because it is entirely legitimate for him to worry that practitioners might be impeded from administering medication to their patients, as, obviously, that would be harmful if those patients needed it. I can give him the assurance that when we talk about “chemical restraint”, we are not considering a patient’s normal medication. The type of medication used for chemical
restraint would usually be different from that used as part of a patient’s normal medication to control or treat their mental health condition. As part of a chemical restraint, patients would not simply be given more of their medication. The types of medication used in chemical restraint are a particular kind of product, lasting for only a short period and not having the effect of over-medicating a patient. It is important that we record and receive national data on the use of those products so that we understand their use and shine a light on areas where they might not be used appropriately. I hope that gives him some comfort.

Sir Christopher Chope: Will the Minister make a statement on which products would be covered by the Bill and which would not? From talking to my constituent, I had the impression that the products used in his case would be covered.

Jackie Doyle-Price: I will commit to writing to my hon. Friend with details of the products licensed by the National Institute for Health and Care Excellence for the purpose of restraint, if that would be helpful.

1.15 pm

Let me come back to the amendments tabled by the right hon. Member for North Norfolk on use-of-force policies. We totally agree with him that force should never be used to inflict pain on, degrade or humiliate patients. We are talking about places where people should always feel safe, and that is very much the intention behind the measures that we want to put into the Bill. The Bill does not say anything about when force can and cannot be used, and it does not prohibit the use of force in any particular circumstances. That is covered by criminal law. It is worth noting that the Health and Social Care Act 2012 created the offence of failing to protect service users from certain types of behaviour, including abuse, degrading treatment and acts that are not proportionate. We therefore do not accept that it is necessary for the Bill to address that issue; it should be part of criminal law. We will, though, look into all these matters when it comes to the guidance.

My hon. Friend the Member for Christchurch has tabled amendments that would make the legislation cover independent hospitals that treat wholly private patients. I understand the intent behind that, but he will be aware that we have been taking the Bill forward very much in the spirit of consensus, and to avoid a big consultation with the sector, we have framed the legislation around services that the NHS commissions. To give my hon. Friend some assurance, the NHS will clearly place patients only where there are the best possible services. We think that that will guarantee that the legislation will apply in all cases. That is very much consistent with how we would apply the law.

Sir Christopher Chope: Would the Bill cover situations in which the NHS is paying for private services in mental health units?

Jackie Doyle-Price: It would; indeed, to be more explicit, any service with which the NHS commissions mental health services would be expected to have procedures that comply with the Bill. That will cover non-NHS patients in those institutions as well.

My hon. Friend the Member for Shipley asked some testing questions about training. I really want to say that from my perspective the detail of what will be covered in training will be taken forward through statutory guidance that will be subject to consultation. He has made it clear that he believes that the training of police forces and training on acute episodes need to be factored into that. That is something that we will take forward as part of that consultation. In all honesty, I do not believe that his amendments will be necessary; in any case, we will take that forward as part of the consultation.

On police roles and responsibilities, my hon. Friend will know now that, as I have mentioned, we have a memorandum of understanding that governs how the police and health services interact in these circumstances. That is owned and taken forward by the College of Policing, and I am sure that he will agree that they are the right people to own that. If a provision affects the police in that way, I cannot make any decision without further consultation with colleagues across the Government.

I hope that I can assure my hon. Friend that I fully take on board his points; indeed, the hon. Member for Croydon North supports the inclusion of those issues in training. We will take forward that proposal as part of the consultation process that will develop the guidance. I hope that that is enough to persuade my hon. Friend to withdraw his amendments.

On enforcement, there have been representations such that the guidance should be published within six months of the Bill being passed. Again, I do not want to prejudge Parliament’s decision. We will take forward the consultation as and when the Bill is passed. These are significant issues and a 12-month process would be more appropriate in the context. It is better to get it right than to be guided by speed, however impatient we are to achieve the desired outcomes.

Sir Christopher Chope: My hon. Friend is being very generous. Will she tell us the current state of the guidance? Can it be published for consultation immediately this Bill attains Royal Assent?

Jackie Doyle-Price: We will undertake it speedily and it will be made public, but, as my hon. Friend will appreciate, the whole purpose of consultation is that it consults and we want to ensure that we are taking everybody with us. Personally, I will want to do it in an extremely timely fashion.

There are many amendments to go through, but I hope that I have articulated the Government’s overall support for this measure and what we are trying to achieve in terms of supporting the hon. Gentleman’s Bill. Central to all this is the need to underline transparency and to strengthen accountability so that patients are protected. Clearly, we desire to minimise the use of force. The best way that we can achieve that is by shining a light on those incidents. We will continue to take this forward in the spirit of openness, and the Secretary of State will be producing reports on how this is being implemented.

Let me turn now to my final point. I have already addressed this in response to the remarks of my hon. Friend the Member for Shipley. On police body cameras, I can give him this assurance: the proposal does not create a criminal offence for not wearing a body camera. We have been very deliberate in our language to say that
it is practicable to make sure that we do not get in the way of the police doing what is right in these situations. The references he makes to the law are consistent with the Police and Criminal Evidence Act 1984, but this would not raise any issue of a police officer being faced with criminal prosecution for not wearing a camera. I hope that that gives him some satisfaction.

**Norman Lamb:** This is my very final point. Even if this is not in the Bill, does the Minister agree that it would be a good thing if the Secretary of State reported to Parliament annually on the basis of the data that was produced by NHS Digital?

**Jackie Doyle-Price:** That issue did come up in Committee. Although I appreciate the spirit with which the right hon. Gentleman makes that inquiry, I would not want to make a particular arrangement for one set of NHS data over another. Clearly, we need to explore this issue to make sure that there is some annual return on how this Bill operates when it becomes an Act.

I could say so much more. Mr Deputy Speaker, but I will not. Everybody in this House is very clear that they want this Bill to make progress. I appreciate that I cannot keep all Members happy all the time, but I do hope that I have been able to assure my hon. Friends the will not. Everybody in this House is very clear that they

**Justin Madders (Ellesmere Port and Neston) (Lab):**

May I start by congratulating my hon. Friend. Friend the Member for Croydon North (Mr Reed) on progressing this extremely important Bill to this stage? I had the pleasure of speaking to it on Second Reading back in November. I am sure that the past seven months have felt pretty long to him, particularly as there were delays outside his control with the money resolution, and I am sure that that feeling was present again at times this morning. I hope that his diligence and persistence will pay off. We all know how much it will mean to see this Bill finally enshrined in statute. Nothing can demonstrate that justice is not only done, but is seen to be done.

**Richard Benyon (Newbury) (Con):** On a point of order, Mr Deputy Speaker. I seek your advice, because I have heard conflicting views. It is quite clear that we are not going to get to my Armed Forces (Statute of Limitations) Bill today. Would I be right that, if I were to not move it today and were to go to the Public Bill Office to seek another date, we would then have a better chance of having a debate? Many Members on both sides of the House want to debate the Bill, and there are 250 veterans in Parliament Square who particularly want the matter aired on the Floor of the House. I seek your advice on the best way to make that happen.

In conclusion, the Bill is a step towards a model of care, rather than one of containment. Of course, it does not have everything that we would want, but it is an important step in the right direction that will support patients, their families and emergency service workers. I commend my hon. Friend the Member for Croydon North on his hard work in reaching this stage and look forward to Seni’s Bill becoming Seni’s law.

Mr Deputy Speaker (Sir Lindsay Hoyle): If it goes wrong, it is obviously going to come back on me. In the end the right hon. Gentleman must make the decision, but overall I would say yes; my view is that the actions he mentioned would lead to more time for a better debate.

If there are no further points of order, I call Sir Christopher Chope to speak—briefly, I presume, because I know that he wants to get on with the amendments.

Mr Deputy Speaker: Twenty-five minutes will do you, then. Come on, Sir Christopher!
1.30 pm

Sir Christopher Chope: It is a pleasure to follow the Opposition spokesman. He was right to pay tribute to the work of the hon. Member for Croydon North (Mr Reed), because this is a really good example of how somebody who is successful in the private Members’ ballot can bring forward a Bill that is to the benefit of their constituents and arises from a constituency case. The right hon. Member for North Norfolk (Norman Lamb) put the issue in context by saying that in the last year for which figures are available, more than 3,500 patients and more than 2,500 staff were injured in mental health units. It is therefore an issue of quite considerable significance.

I intervened on the Minister when she was dealing with new clause 1, and I want to say a little more about timescales for the independent investigation of deaths. As I said, I have a constituency case in which the coroner ordered an investigation that went out to an independent forensic person, who then became ill and has not been able to complete her work. It has not been possible, for all sorts of reasons that I cannot really fathom, to get anybody else to take over the responsibility for seeing that the work is completed. I am grateful that my constituents—and, indeed, other families in Dorset—are waiting for results of post-mortems in respect of loved ones’ deaths many, many months ago. That is intolerable.

I therefore tabled some questions to the Ministry of Justice. In fact, they were among the last questions answered there by my hon. Friend the Member for Bracknell (Dr Lee). He said that there was a provision in the Coroners (Investigations) Regulations 2013 that reports must be made as soon as practicable after the examination, but there is no absolute time limit. He also said that he would raise the question of timeliness with the Department of Health and Social Care and write to me. I hope that that question of timeliness will be on the Minister’s desk soon and that she will then also be able to write to me to explain what could be done to ensure that there is a finite period for these very sensitive post-mortems, and the investigations that flow from them, to be carried out. It would be very useful if we can achieve some progress on that.

The hon. Member for Croydon North says at paragraph (5) of his new clause:

“A person appointed under this section must provide a report within three months of that appointment.”

That is a clear time limit. If the Minister thinks that that is reasonable, then there is no reason why it should not be applied more widely. That could certainly address the problem that I have identified.

I now turn to my amendments. I am grateful to my hon. Friend the Minister for responding, in anticipation, to some of them. Amendment 86 is designed to extend the operation of the Bill to all mental health units in England and Wales, not just to those that in national health service hospitals or those where treatment is provided, or is intended to be provided, for the purposes of the NHS. I still do not understand this: my hon. Friend seems to be saying that she would like to extend these provisions to the independent sector—to all mental health units—but is inhibited in being able to do so because of the constraints of the need to consult on the legislation. Is that correct?

Jackie Doyle-Price: My hon. Friend, as a good small state Conservative, will appreciate my desire not to put burden on business. When we bring forward regulations that will introduce additional burdens, we go through a consultation process to take business with us. I am satisfied that the Bill will affect all patients, because the NHS commissions services from independent mental health care providers, and any institution where the NHS is commissioning services will be captured under the Bill. It will benefit private patients in private settings where those institutions provide services to the NHS.

Sir Christopher Chope: Will it apply to private patients in private institutions as well?

Jackie Doyle-Price: Where that institution provides services to the NHS, it will, because we will only commission services in places that are compliant with the Bill.

Sir Christopher Chope: Okay. That is very helpful. As my hon. Friend says, I am keen to avoid unnecessary burdens and regulation, so it is good to have clarification on that and to know that imposing fresh regulations purely on the private sector would trigger several regulations having to be repealed. Perhaps her Department’s list of regulations to repeal is running a bit short. I am grateful for her response.

Amendment 87 is consequential to amendment 86. I am grateful to the Minister for dealing with my amendment 88, which relates to chemical restraint, and for her offer to write to me with a list of the chemicals that satisfy the definition of “chemical restraint”. The Bill defines chemical restraint as “the use of medication which is intended to prevent, restrict or subdue movement of any part of the patient’s body”. However, that does not provide as much clarity as I would wish. My concern is that medication should not be given because it will result in less violence from a patient—for example, if a patient normally takes their medication but becomes more violent if they do not. That seems to be a regular pattern, and I would not want there to be any perverse incentive or disincentive to give people their medication.

Amendment 89 deals with isolation, which the Bill defines as “any seclusion or segregation that is imposed on a patient”. I still cannot get my head around why the isolation of a patient is deemed a use of force. Quite often, isolation can prevent a patient from causing physical harm to other patients or indeed staff. Can the Minister expand on that?

Jackie Doyle-Price: My hon. Friend is right, it can, but that should be a clinical judgment. We are trying to tackle the use of seclusion as a method of control where it can do harm, because there are clearly cases where it can, but that will be very much a clinical judgment.

Sir Christopher Chope: I am grateful to my hon. Friend for that clarification.

I tabled amendments 92 to 95 because I was concerned about the term “relevant” health organisations and felt that we should be referring to all health organisations, but the Minister dealt with that point in response to an earlier amendment, so I will not press it. As my
hon. Friend said, some of the issues relating to the unintended consequences of the amendments made in Committee have also been addressed.

I turn now to clause 5, and particularly my amendment 98. Clause 5 has turned out to be the weakest part of the Bill. My hon. Friend the Member for Shipley (Philip Davies) made a stunning and really illuminating speech in support of his amendments 11 and 12, which I most heartily endorse. I do not see how anybody who listened to him could do anything other than reach the same conclusion, which I am glad to say is the conclusion reached by the promoter of the Bill. A lot of my hon. Friends were sitting in the Chamber and listening to my hon. Friend, and I think they were also in strong agreement with the sentiments he expressed.

The Minister’s response has very much been to say that such amendments are not needed. I do not know whether she will respond in the same way to my amendment 98, but that amendment makes it clear that the training provided under subsection (1) must include how to involve not just patients but their families in the planning, development and delivery of care and treatment in mental health units. The involvement and engagement of families is of absolutely fundamental importance. If the Government have chosen to set out a whole list of what they consider to be very important ingredients in any training course, I cannot understand why they have omitted any reference to the involvement of families in the planning, development and delivery of care and treatment.

In one of the constituency cases I mentioned earlier, the parents have had an incredibly distressing time not just because of their personal circumstances, but because of their son’s circumstances. They have experienced great frustration in trying to get proper contact with the people in the mental health unit where their son is a patient. It seems to me that families, who often care for 20 years or more for mentally ill children, are in a really strong position to know and understand their children’s needs. It is also very important that they should be informed about what is happening. For example, in this case, the young person concerned is sometimes suddenly discharged from the mental health unit at the weekend, and he then goes and makes a nuisance of himself and the police have to bring him back to his parents’ house many miles away. On one recent occasion, he proceeded to trash the whole place. We cannot allow such situations to arise, and it seems to me that there is a really important role for involving and engaging with the families. I hope that my hon. Friend will confirm that the Government really take seriously the involvement of the families.

Jackie Doyle-Price: The Government most certainly do. I mentioned earlier that we are currently undertaking a review of the Mental Health Acts. The involvement of families is a key part of what is coming out of that, and there will be recommendations on that when the report is completed in the autumn. There are also issues regarding mental capacity, so the review of the deprivation of liberty law raises issues about the role of families, and we need to provide greater clarity. However, this is very much part of what we need to get right. My hon. Friend is absolutely right to say that families not only have an interest in, but can do much to support their loved ones.

There are also occasions when that can cause harm and families ought not to be involved, but, again, that is part of the clinical judgment. I come back to the fact that all of this will be addressed in the guidance, which we will take forward in consultation with the sector.

Sir Christopher Chope: I am grateful to the Minister, and to you for your indulgence, Mr Deputy Speaker. It shows your flexibility that you allowed one long response, rather than having more interventions flowing on from that. [Interruption.] Well, it was very welcome for its content, and I am grateful to the Minister for putting that on the record.

My final point concerns clause 5(2)(k) and what we mean by “principal legal or ethical issues”. It seems to me that “principal” is redundant. Why do we need to talk about “principal” legal issues unless we specify more clearly what we mean by that? Do we mean that some laws or legal issues are more important than others? What does it mean? We have not yet had an answer on that—I do not know whether the Minister has one readily to hand.

1.45 pm

We then get on to guidance and the timescale within which it should be published. The Minister said that she expects guidance to be in place within 12 months, and that she would take personal responsibility for delivering that. That is a helpful undertaking, but I hope that the Government will be able to produce draft guidance before the Bill is considered in the other place. There are a lot of precedents for the Government bringing forward draft guidance while legislation is still under consideration, and it is a pity that we do not have it at this stage. If my hon. Friend wants to put pressure on her officials, as I know she does, I urge her to demand that they produce draft guidance before the Bill reaches the other place. That draft guidance will then have the benefit of being commented on in the other place by groups of people who are not lacking in expertise in this area. That will make for a better public consultation, which will formally follow once the Bill is enacted. I hope my hon. Friend will push that forward as hard as she can, and use the encouragement that we are giving her today to put pressure on her officials and show that she is in charge of the whole process.

I have already said that clause 7 does not make sufficient reference to family and relatives, and other amendments to the Bill are of less significance than those tabled by my hon. Friend the Member for Shipley. I hope that when responding to the debate, the hon. Member for Croydon North will reinforce the view that amendments 11 and 12 go to the heart of this matter. The issues that were dealt with in extenso by my hon. Friend were highly informative and persuasive. It may be that there is just a technical problem as far as the Government are concerned, but that they buy into the idea. Indeed, I am sure there is every possibility that they might buy into it a bit more if, when he responds to the debate, the hon. Member for Croydon North makes clear that he strongly supports amendments 11 and 12, as do I.

Mr Reed: I am grateful to right hon. and hon. Members across the Chamber for the constructive way in which they have engaged with this debate, and for the kind
comments thrown my way. It is important to say, however, that this Bill is the work of many people who have contributed to its development and to getting it to its current stage. I hope that this debate is a further contribution to strengthening the Bill and the shape that we have it in now. That includes the many campaign groups and advocacy groups outside the Chamber that have been working with me and with the Government, as well as the Government’s officials, who have been extremely helpful all the way through.

The driving force behind this Bill is something that the coroner said when we held the inquest into the death of Seni Lewis. Seni died in 2010 but we only got the coroner’s verdict in June 2017, while the general election was under way. She said that if things did not change to address the failings that led to Seni’s death, there would be more deaths of that kind. Seni was one of many people who died unnecessarily because of failings in the system and many, many others have been injured because of those failings. Report after report coming out of inquiry after inquiry, and inquest after inquest, pointed to what the problems were, but they were not being picked up by the system, nor lessons learned to keep people safe in future. The coroner said clearly that change must come. That change is this Bill, and I am grateful to everybody who has brought us to this point today.

I have a couple of specific thank yous. I pay particular tribute to the Minister, who has been robust and clear in her support for the Bill right from the start. She has been absolutely clear about the commitments that she could make as a Minister and has delivered on those, so I am immensely grateful to her. In my opinion, we are very lucky to have her as the Minister.

Above all, I pay tribute to the family—to Seni’s parents, Aji and Conrad Lewis, who are with us today, because the real reason we are here is the profound depth of love that they have for their son, who was lost in such tragic circumstances. That love has driven them to campaign for justice, not just for their son, but for everybody using mental health services. Their profound wish is that Seni did not die in vain, so this Bill is dedicated to them and to Seni. It is his legacy and his testament, and because of this Bill no one else will need to suffer in the way that Seni did.

On the basis of the Minister’s assurances at the Dispatch Box, I am happy to withdraw my new clause 1 and not to press new clause 2, and I look forward to the further progress of the Bill. I beg to ask leave to withdraw the motion.

Clause, by leave, withdrawn.

Clause 4

Information about use of force

Amendments made: 1, page 3, line 16, at end insert—

“unless the patient (where paragraph (a) applies) or the other person (where paragraph (b) applies) refuses the information.”

This allows for cases where a person refuses the information provided, and supersedes subsections (9)(a) and (10)(a).

Amendment 2, page 3, line 22, leave out subsection (5) and insert—

“(5) The responsible person must take whatever steps are reasonably practicable to ensure that the patient is aware of the information and understands it.”

This expands the duty to provide information accessibly so that it requires the responsible person to take whatever steps are reasonably practicable to ensure the patient understands.

Amendment 3, page 3, line 33, leave out subsections (9) and (10).—(Jackie Doyle-Price.)

Subsections (9)(a) and (10)(a) are superseded by Amendment 1. Subsections (9)(b) and (10)(b) are unnecessary as the information will not be of a nature that would cause distress.

Clause 5

Training in appropriate use of force

Amendment proposed: 11, page 4, line 18, at end insert—

“(l) the roles, responsibilities and procedure in the event of police involvement.”.—(Philip Davies.)

Question put, That the amendment be made.

The House divided: Ayes 8, Noes 47.

Division No. 186

[1.52 pm]

AYES

Campbell, rh Mr Alan
Hollowbore, Mr Philip
Madders, Justin
Martin, Sandy
Onasanya, Fiona
Reed, Mr Steve

Slaughter, Andy
Sobel, Alex
Tellers for the Ayes:
Philip Davies and
Sir Christopher Chope

NOES

Adams, Nigel
Argar, Edward
Akins, Victoria
Benyon, rh Richard
Bradley, rh Karen
Brown, rh Mr Nicholas
Campbell, rh Mr Alan
Cartlidge, James
Churchill, Jo
Courts, Robert
Doyle-Price, Jackie
Ellis, Michael
Evans, Mr Nigel
Foster, Kevin
Frazer, Lucy
Hands, rh Greg
Harris, Rebecca
Heaton-Harris, Chris
Hobhouse, Wera
Hollingbery, George
Lamb, rh Norman
Lopresti, Jack
Madders, Justin
Mann, Scott
Martin, Sandy
Milling, Amanda

Quince, Will
Reed, Mr Steve
Robinson, Mary
Ruane, Chris
Slaughter, Andy
Smith, Chloe
Sobel, Alex
Throup, Maggie
Tomlinson, Michael
Tracey, Craig
Trevelyan, Mrs Anne-Marie
Warman, Matt
Wright, rh Jeremy

Tellers for the Noes:
Julian Knight and
Michelle Donelan

Question accordingly negatived.

Amendment proposed: 12, page 4, line 18, at end insert—

“(m) awareness of acute behavioural disturbance.”.—(Philip Davies.)

Question put, That the amendment be made.

The House proceeded to a Division.

Mr Deputy Speaker (Sir Lindsay Hoyle): I ask the Serjeant at Arms to investigate the delay in the Aye Lobby.
The House having divided: Ayes 3, Noes 49.

Division No. 187] [2.4 pm

AYES
Campbell, rh Mr Alan
Hollobone, Mr Philip
Reed, Mr Steve

Tellers for the Ayes:
Philip Davies and
Sir Christopher Chope

NOES
Adams, Nigel
Argar, Edward
Alkins, Victoria
Benyon, rh Richard
Bradley, rh Karen
Brown, rh Mr Nicholas
Campbell, rh Mr Alan
Cartlidge, James
Churchill, Jo
Courts, Robert
Doyle-Price, Jackie
Ellis, Michael
Evans, Mr Nigel
Foster, Kevin
Frazer, Lucy
Hands, rh Greg
Harris, Rebecca
Heaton-Harris, Chris
Hobhouse, Wera
Hollingbery, George
Lamb, rh Norman
Lopresti, Jack
Madders, Justin
Mann, Scott
Martin, Sandy
Milling, Amanda
Moore, Damien
Morris, David
Morton, Wendy
O'Brien, Neil
O'Mara, Jared
Onasanya, Fiona
Pincher, Christopher
Pound, Stephen
Pursglove, Tom
Quin, Jeremy
Quince, Will
Reed, Mr Steve
Robinson, Mary
Ruane, Chris
Slaughter, Andy
Smith, Chloe
Sobel, Alex
Throup, Maggie
Tomlinson, Michael
Tracey, Craig
Trevelyan, Mrs Anne-Marie
Warman, Matt
Wright, rh Jeremy

Tellers for the Noes:
Michelle Donelan and
Julian Knight

Question accordingly negatived.

Amendment made: 4, page 4, line 30, leave out “meets the standards of” and insert “is of an equivalent standard to”.

This is a small drafting change that clarifies that training does not need to be provided under Clause 5 if training that was recently provided was of an equivalent standard to the training provided under that Clause.

Ordered,
That Clause 6 be transferred to the end of line 34 on page 7.

Amendment made: 8, line 2, leave out “and similar institutions” and insert “has the meaning given by section 2”

This improves the drafting of the definition of “responsible person.

Ordered,
That Clause 15 be transferred to the end of line 15 on page 9.

Amendment made: 7, page 8, line 32, leave out “has the meaning given by section 2” and insert “means a person appointed under section 2(1)”.

This removes from the long title a reference to “similar institutions” as these are not covered by the Bill.

Third Reading
2.21 pm

Mr Reed: I beg to move, That the Bill be now read the Third time.

Given that we have only nine minutes, I shall be extremely brief. I am grateful to Members from all parties for their support for the Bill's intentions and ambitions. Having spoken to many advocacy and professional groups outside the House, I know that the Bill in its current state will, if passed, give the United Kingdom some of the best legislation in the world to protect mental health patients from abusive or excessive restraint. That is exactly as it should be.

The Bill will make a difference in four broad areas. First, on accountability, by requiring the appointment of a named senior manager in each mental health unit to be accountable for the existence and implementation of a policy governing the use of restraint and its reduction, the Bill will ensure clear and direct accountability for how restraint is used.

By standardising the reporting of incidents of restraint throughout the country so that they are recorded in exactly the same way against the same demographics, we will be able to see for the first time where the best practice really is, so that it can be spread. That will also allow us to scrutinise the data so that if particular groups—for example, women, BME people, young men and people with disabilities—are subject to more frequent vexatious complaints and provides evidence when things do go wrong so that lessons can be properly learned to prevent any repetition.

According to academic research, the requirement on the police, when operationally practicable, to wear body cameras in and of itself reduces the likelihood of restraint being used by the police by 50%. That alone makes it worth doing, but it also protects the police against vexatious complaints and provides evidence when things do go wrong so that lessons can be properly learned to prevent any repetition.

I am grateful for the Minister's comments on Report about the investigation of deaths. It is important that those investigations happen immediately following a death or serious incident, and it is critical that they are sufficiently independent to allow people to learn what has gone wrong to prevent any repetition and deliver justice to the family of any victim. It is important, too, that there is consistency among all forms of state custody and that mental health custody is not treated

Clause 7

RecordinG of use of force
Amendments made: 5, page 6, line 5, leave out “made by or under the Data Protection Act 1998” and insert “of the data protection legislation”.

Amendments 5 and 6 are consequential on the Data Protection Act 2018.

Amendment 6, page 6, line 6, at end insert—

'( ) in subsection (8) “the data protection legislation” has the same meaning as in the Data Protection Act 2018 (see section 3 of that Act)”

Amendments 5 and 6 are consequential on the Data Protection Act 2018.
impressed by much of what the Minister said in response to concerns that have been expressed. None the less, there are still some unanswered questions, particularly around the implementation of the Bill.

The Minister has said that she will bring forward guidance as a substitute for some of the provisions that we think should have been included in the Bill. She said that we did not need other aspects that we thought should be included in the Bill because they were already in law. I hope that we will be able to keep up the pressure on the Minister to come forward with more precise answers regarding when she will publish the draft guidance.

On Report, I asked the Minister what state the draft guidance was in at the moment and if it was in a form in which it could be produced. I did not get an answer to that question. I also did not get an answer to the question of whether draft guidance would be published before the Bill goes to the other place. There is a lot to be said for the Government publishing the draft guidance tomorrow, say, or next week. One merit of doing that would be that if the Bill’s Third Reading debate does not conclude today, we would have the chance to look at that draft guidance before commenting on it during the remainder of the debate.

As the hon. Member for Croydon North said, the Bill is important because it introduces means by which we can measure lots of things that are happening in our mental health units about which we are not aware at the moment. As we know, what we cannot measure, we cannot control.

I remain concerned that some of the information that will be produced as a result of the Bill could lead to unintended consequences, as my hon. Friend the Member for Shipley (Philip Davies) also mentioned. We heard a reference to the fact that women in mental health units suffer more force against them than men, but that might be because only the most serious cases of women in mental units are brought before the—

Business without Debate

FREEDOM OF INFORMATION (EXTENSION) 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.

ARMED FORCES (STATUTE OF LIMITATIONS) 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.
POSTAL VOTING 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.*

TYRES (BUSES AND COACHES) 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.*

VOYEURISM (OFFENCES) 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.*

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 6 July.*

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 6 July.*

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 6 July.*

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 6 July.*

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 6 July.*

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 6 July.*

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 6 July.*

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 6 July.*

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 6 July.*

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 6 July.*

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 6 July.*

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 6 July.*

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 6 July.*
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 6 July.

PARENTAL LEAVE AND PAY ARRANGEMENTS (PUBLICATION) 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.

ANIMAL WELFARE (SERVICE ANIMALS) 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.

Stage Lighting: Efficiency Regulations

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

2.34 pm

Will Quince (Colchester) (Con): I thank my hon. Friend the Minister for being here to respond to this debate and apologise for making his Friday longer than it might otherwise have been.

Britain has a world-class arts and culture scene that generates a huge amount of tourism, growth and economic activity. In no sector is this more true than our theatre scene, which is not only beloved by millions of theatregoers up and down the country but engages with people from all ages and backgrounds, from the pantomime at Christmas in our local theatre to the big-name productions at the National theatre and everything in between. Theatre gives everyone an opportunity to take part, whether children at school, amateur dramatics in the local village hall, or world-class theatrical schools up and down the country. Some people even say that this very Chamber is the greatest theatre of them all. I guess that it is true for many MPs that our time in Parliament ends either as a comedy or a tragedy. I live in hope of neither.

We have many fantastic local theatres and performance venues in Colchester: the Mercury and Headgate theatres and Colchester arts centre. These theatres are proof that cuts to the arts are a false economy. Every £1 of grant aid that the Mercury theatre receives generates £3 for the local economy. The total economic impact of this theatre for my local area is £3.6 million—hardly an insignificant sum.

Robert Courts (Witney) (Con): My hon. Friend is leading a fascinating debate, and I congratulate him on having secured it. He has talked about the impact of some of his local theatres. In my constituency, in west Oxfordshire, we have Chipping Norton theatre. It belies the description of a local theatre, because people come from all over the country—not just west Oxfordshire—to attend this outstanding venue. I am sure that it is the same with his theatres.

Will Quince: I thank my hon. Friend—he is absolutely right. The reputation that precedes so many of our theatres up and down the country means that they attract a wider audience than just the local population. With that comes additional spend from people going to restaurants and staying in hotels. Theatres play a huge role in the local economy. That is one of the reasons—not the only one—why they are so important. Investing in the arts provides a strong cultural boost in our regional towns and cities. These theatres are also where the careers of some of our best British actors and actresses begin and where some of the most innovative plays and productions start their lives.

I have secured this debate because I have real concerns about the impact that potential changes in regulations on stage lighting could have for our local theatres and performance venues. The European Union is currently reviewing legislation on eco-design, which includes lighting. The new regulations, which have been proposed for September 2020, will require a minimum efficiency of 85 lumens per watt and a maximum standby power of 0.5 watts on all light sources, lamps or self-contained
fixtures sold within the European Union. As part of the review, an existing exemption was removed. Without this exemption, the majority of tungsten, arc and LED stage lighting fixtures would no longer be available on the market, and venues could be forced to go dark.

Michael Tomlinson (Mid Dorset and North Poole) (Con): My hon. Friend gives me the opportunity to mention two establishments in my constituency—the Rex in Wareham and the Tivoli in Wimborne. He mentions EU regulations. I am sure that he will come on to this, but how does Brexit impact on that now that we are of course leaving the European Union?

Will Quince: I thank my hon. Friend for his question. Being as observant as he is, as a non-practising barrister, he will know that I mentioned that the regulations come into effect in 2020. Nevertheless, the Government are talking about frictionless trade, and given that this trade regulation will apply across the European Union, it is really important to have an exemption that applies across the EU. We are requesting this exemption for theatres and performance venues in not just the United Kingdom but across the EU, and I will come on to that. I am glad he had the opportunity to mention two of his local theatres, both of which I have heard of, so their reputation precedes them.

Some people may say that this is fine. They will ask, “Why shouldn’t theatres and other performance venues play their part in saving the environment?” The theatre and entertainment industry do want to play their part. They fully support the sustainability agenda and are taking steps day by day to improve their environmental standards. However, introducing these regulations without an exemption will have a considerable negative impact across European entertainment industries that would far outweigh the positive intentions behind the proposals.

With such a steep climb, there would be a tremendous financial burden on theatres, community halls, churches, schools and every single performance venue that uses theatrical lighting instruments as part of its shows. It is true that nothing in the new regulations requires venues to stop using their existing fittings, yet what good is a lamp without a bulb? Once the bulbs can no longer be sold, the existing fixtures will become worthless. That does not exactly support the principles of a more circular economy.

It is not possible to simply buy a compliant LED replacement bulb for a stage light. That is not how it works. In the entertainment industry, LED lights come as one whole unit, and the current cost for one of these high-quality lights is approximately £2,500. If someone runs a venue with, say, 300 tungsten sources and they need to be replaced overnight, along with the infrastructure that runs them, the total cost quickly escalates. Likewise, for those who run a community hall and own 10 lights, put on two shows a year and are used to spending only £20 on a bulb every now and then, the financial demand would be crippling.

If these regulations are introduced as they currently stand, there will only be a limited supply of existing bulbs. Once they are gone, they are gone, leaving behind an enormous amount of otherwise perfectly functioning scrap metal and glass. If theatres and venues were to refit their tungsten and arc rigs with the high-quality LED lights required—providing, of course, that they are available on the market—they would need to do so before September 2020.

The estimated cost of this transition to the UK theatre industry alone is £1.2 billion. This is considerable disruption and cost for limited power savings, given how entertainment lighting is typically used, notwithstanding the enormous amount of waste generated and electricity and energy used to manufacture and ship the new fixtures. Surely, there is a better way to achieve such energy savings. Even if venues could afford an overhaul of this magnitude, no high-quality LED lighting units currently on the market are compliant with these proposals. Venues will be left with no adequate tools with which to light productions.

Just as important an issue is how these regulations will affect the technical elements behind the productions we witness. Research and technical development over the past decade have enabled significant progress in LED spotlights to make them suitable for use in stage lighting for theatrical productions. However, it is still not possible to replace all professional entertainment lighting products with LEDs. The currently used tungsten lightbulbs allow for a wide spectrum of colour choice that can reliably fade and mix with the rest of a rig, so that all elements of a show can be precisely controlled to the needs of a production. LEDs are now approaching a similar standard, but these developments have all come about organically.

The introduction of these proposals would stifle such innovation, and as a result, we would be left with little more than harsh, unflattering floodlights with which to light our productions. It should be noted that it is extremely difficult to get LED lights perfectly to dim all the way off in the same manner as traditional lighting, and that for the lighting of live events very small halogen lamps, with a diameter of 0.5 cm, are used to produce a high-power output. Again, there are currently no available replacements for those special lamps with LED technology.

Finally, and probably most importantly, there is the issue of how all those individual issues join together to affect the artistic vision of a production. Change can be important, and perhaps these new conditions will result in visionary directors who take advantage of cold—always on, but not very bright—lighting, but it may lead to some very bleak plays. The reality, however, is that the technical problems with LED lighting will severely affect the artistic quality of performances. The richness of lighting for a live event lies in the diversity of light sources’ colours and intensity; without that, our world-famous productions would be left flat.

The impact of these regulations on local theatres and performance venues will be both financial and artistic, so we need the exemption to remain in place. I therefore turn to my hon. Friend the Minister and say that we should all be concerned about these proposals. Although I am reassured to hear that representatives have been in active, and I understand positive, dialogue with the European Commission about introducing a narrow technical exemption, we need the Government to play their part.

I understand that my right hon. Friend the Secretary of State for Digital, Culture, Media and Sport, who is himself a fan of the theatre, has written to the Secretary of State for Business, Energy and Industrial Strategy expressing his Department’s support for an exemption
for professional stage lighting for theatres and other venues. I think there is support for that across the sector and across the Government, so I ask the Minister to take forward our concerns to his friends and counterparts at the European Commission. I hope that he can reassure me that this is a priority, and that he will do everything he can to support the industry in securing this important exemption.

We should be very proud of the creative arts sector in our country. It does so much to improve our culture and our communities, yet it is at risk from these regulations, both financially and artistically. That was previously recognised—hence the exemption—so I hope the Government will do all they can to ensure that the exemption continues and that performances up and down this country are not compromised by poor or inadequate lighting, or indeed no lighting at all.

2.47 pm

The Minister for Universities, Science, Research and Innovation (Mr Sam Gyimah): I congratulate my hon. Friend the Member for Colchester (Will Quince) on securing a debate on this important subject. I am very much aware of this issue, which has already been raised by many in the sector, and I understand the potential impact of the draft legislation on theatres and other live entertainment venues up and down the country. By way of reassurance, let me say that the Government take this issue very seriously. Indeed, the Arts Minister, the Under-Secretary of State for Digital, Culture, Media and Sport, my hon. Friend the Member for Northampton North (Michael Ellis), is sitting next to me. We need to look at this issue on a cross-departmental basis.

We all recognise that the theatre is a hugely important part of the creative industries and of our country’s cultural history. British theatre is respected across the world for its high-quality productions and its skilled professionals both on and off the stage. I am sure that the Mercury theatre in the constituency of my hon. Friend the Member for Colchester—I gather that it has raised concerns about this issue—is a shining example of that quality and professionalism. Let me make it clear that the Government recognise the value of theatre. We already support it in a number of ways, including through Arts Council funding, our theatre tax relief and a number of capital investments in recent years, such as the £78 million provided towards the creation of the Factory in Manchester.

Before I talk specifically about the draft EU lighting proposal, I will highlight for hon. Members the purpose of the policy and why it benefits both UK consumers and businesses. EU eco-design and energy labelling measures are about minimising the costs and environmental impact of products used in both homes and businesses by setting minimum performance requirements and empowering consumers to make informed purchasing decisions through the use of energy labels.

The EU measures have been around for several years, and we estimate that those agreed to date will be saving household consumers about £100 on their annual energy bills in 2020, and will be leading to greenhouse gas emissions savings of 8 million tonnes of carbon dioxide. Minimum standards for lighting alone are estimated to contribute more than 1 million tonnes of CO₂ savings. This policy therefore constitutes one of the most cost-effective ways to meet our carbon budgets and reduce energy consumption.

As well as bolstering our commitment to reduce carbon emissions, the policy also serves a purpose for industry. Setting minimum performance standards and promoting better environmental performance of products through labelling can help to drive innovation and increase the competitiveness of businesses, in line with our industrial strategy. Minimum performance standards and labelling schemes exist in various forms throughout the world, including in America, Canada, Australia and New Zealand. It can therefore be a challenge for businesses placing products in those markets to meet the various requirements.

Setting the standards at EU level means that manufacturers have to meet only one standard before placing their products on the market, without the burden of navigating multiple national regulations. However, when standards are set for the entire single market, it is important that they are proportionate and achieve what they are supposed to achieve, without unintended consequences. That is why the European Commission consults member states and relevant stakeholders when developing a policy proposal. At the same time, we engage extensively with UK stakeholders and listen to the concerns raised before we come to a position and vote on legislation.

That brings me to the matter raised by my hon. Friend the Member for Colchester, which is the potential impact of an EU draft lighting regulation on theatres in the UK. The Commission held a consultation forum in December to discuss the first draft of the proposal—here I wish to stress the importance of the word “draft”. Following that forum, stakeholders were able to submit comments in writing to the Commission, which were considered as part of the review process of the draft regulation. It is therefore still a proposal at this stage and remains open for discussion. I understand that a final decision will not be made on the proposed legislation until later in the year, so my hon. Friend is right to bring the matter before the House at this point. Until then, my officials will continue to listen to the concerns and views of all interested parties. Indeed, the issue has already been brought to the Department’s attention by many in the sector, and as I said, the Arts Minister also takes a keen interest in the matter.

To put it in context, the draft proposal is a revision of the current lighting regulation that came into force in 2012. The purpose of that regulation was gradually to improve the performance of lighting products and push the market towards more energy-efficient and longer-lasting technologies such as ultra-efficient LED lighting. However, due to the special purpose of certain lighting, the existing regulation contains an exemption for various types of lighting equipment, such as that used in theatres and other live entertainment venues.

The intention, as stated in the regulation, was to look again at special purpose lamps when the measure came to be reviewed. It is therefore important that hon. Members are aware that the draft regulation builds on previous experience of the issue. Theatre and stage lighting has had an exemption for six years and, although I understand that tungsten is still commonly used in theatres, in that time some venues have begun to adopt LED alternatives. I believe that most large-scale theatres
make at least partial use of LEDs, and have done so for years. LED lighting may, however, not always be a suitable option, and it may not be cost-effective for some venues, particularly smaller venues, to transition to newer, more efficient technologies. I also understand that even some LED lights may struggle to meet the proposed performance requirements in 2020.

I reassure hon. Members that my Department’s officials have already met representatives of the Association of Lighting Designers and the National Theatre and are aware of the impact that the proposal could have on the availability of theatre lighting equipment. Following that meeting, my officials made representations to the European Commission in writing and in person to discuss this issue and potential solutions. I gather that since meeting Department for Business, Energy and Industrial Strategy officials, the Association of Lighting Designers, as well as other sector representatives, have had a productive meeting with the Commission and have now submitted an alternative proposal for its consideration.

As I mentioned, this is still a draft regulation and member states will not vote on it until the Commission calls a regulatory committee, which we expect to take place at the end of this year. Until then, officials and, of course, the Arts Minister will continue to consult on further iterations of the regulation and consider concerns raised by interested parties. As we have seen only an early draft of the regulation, we will not be carrying out a cost-benefit analysis at this stage. Once we see the final draft version of the regulation prior to the regulatory committee, we will carry out a cost-benefit analysis of the lighting proposal for the whole UK. Both we and the European Commission have listened to the sector and are aware of the potential impacts on the theatre and the live entertainment industry, and support finding a solution that works for everyone.

Question put and agreed to.

2.55 pm

House adjourned.
4.30 pm

Daniel Zeichner (Cambridge) (Lab): I beg to move, That this House has considered e-petition 200888 relating to the sale of animal fur in the UK.

It is a pleasure to serve under your chairmanship, Mr Hollobone. The e-petition, headed “Ban the sale of animal fur in the UK”, explains:

“Fur farming was banned in England and Wales in 2000, followed by Scotland in 2002. However fur products can still be legally imported from other countries and sold here in the UK. Much of this fur comes from countries that have very weak or no animal welfare laws at all.”

I introduce the debate on behalf of the Petitions Committee and will begin with some history. The issue has become one of wide public interest, culminating in a significant campaign to build on previous legislation and end fur imports, but there has long been concern about the issue.

Nick Thomas-Symonds (Torfaen) (Lab): My hon. Friend has mentioned the legislative history; does he agree that the sensible next step is to extend the fur import ban to all species? Many of my constituents have emailed me to request that.

Daniel Zeichner: I assure my hon. Friend that that is the direction in which I shall proceed in the next few minutes.

To return to the history and as the petition states, 18 years ago Parliament banned fur farming in England and Wales. That ban was extended to Scotland and Northern Ireland in 2002. As the petitioners note, that means that in effect we now outsource the issue. We do not want fur farming on our own doorstep but are currently not strong enough to end our complicity in what can only be described as animal suffering. To end it, and reflect the national will, which clearly is that we want fur farming on our own doorstep but are forced to live in small cages. Many show symptoms of extreme stress before being gassed and skinned.”

Those conditions continue today.

Mr Jim Cunningham (Coventry South) (Lab): The debate is timely and my hon. Friend is to be congratulated on it. About 48 hours ago, a television programme was shown about mink farming purely for fur. Since 2000, 50%—5,000—of such farms are in 22 countries in Europe. That shows that there is a job of work to be done; does my hon. Friend agree?

Daniel Zeichner: I find myself in much agreement today—

Tim Loughton (East Worthing and Shoreham) (Con): The hon. Gentleman is very generous. I, too, was around as a Member of Parliament when the Fur Farming (Prohibition) Act 2000 was passed. Eighteen years later, it is inconceivable that other European countries, in particular, did not follow suit. Does the hon. Gentleman agree, on the day when we debate the Ivory Bill, by which we will end that abhorrent trade, we can find ways to end the abhorrent trade in fur in this country, and to make exemptions where they are needed for historically and culturally valuable objects? Clearly, that can happen, and frankly it must, sooner rather than later.

Daniel Zeichner: Once again, I am in agreement. I am still trying to go back 20 years in my speech. I shall advance slowly.

Simon Hoare (North Dorset) (Con): Give up!

Daniel Zeichner: No, I am not going to give up—but I give way.

Zac Goldsmith (Richmond Park) (Con): Before the hon. Gentleman steps back 20 years I ask him to step forward a few months, because as we leave the European Union whatever barriers may have prevented us from raising standards on imports at the point of entry will have gone. We will be free to decide whether we want to continue to import the proceeds of one of the grimmest of human activities. I suspect that, like people who have signed the petition and the majority of those who have written to their MPs, the majority of Members would support such a move.

Daniel Zeichner: Tempting though it is, I do not intend to widen the debate on to other issues. I am still trying to go back 20 years, so I shall continue for the moment. At that time we were of course fortunate in
having a Labour Government, and they took up the cause. The Fur Farming (Prohibition) Act 2000 was passed, and the then Minister of State, Agriculture, Fisheries and Food, Baroness Hayman, said: “It has a simple and a clear basis. The Government believe that it is wrong to keep animals solely or primarily for slaughter for the value of their fur. In the Government’s view, fur farming is not consistent with a proper value and respect for animal life.” — [Official Report, House of Lords, 19 July 2000; Vol. 615, c. 1130.]

That was true then, and is true now for the huge numbers signing the petition—hundreds in every constituency—and for many other people, which is why it is wrong for our country to continue to support such an industry, whether it lies inside or beyond our borders.

Henry Smith (Crawley) (Con): Does the hon. Gentleman agree that many consumers who think they are purchasing fake fur products are actually purchasing real fur products, and that in the past few years there has been quite a trend for what is really cruelly produced real animal fur to be retailed as fake fur? Does he think that trading standards need to play a role in ensuring that there is greater awareness and proper labelling of fur products?

Daniel Zeichner: The hon. Gentleman is prescient. I will come on to fake fur later, and I agree with his observations.

Since the implementation of the ban, we have effectively continued fur farming internationally, by allowing in fur imports. Some estimates put the value of the fur imported at £670 million. Humane Society International, which has campaigned powerfully on the issue, estimates that, based on the value of pelts at auction houses, that may equate to some 2 million animal skins imported into the UK in 2016 alone.

I want to say a little more about the conditions in which animals are kept. Beyond the simple idea that farming animals simply for their fur is wrong, the animals in fur farms are too often forced to live in terrible conditions. Humane Society International recently held a drop-in for MPs, and I am sure that some colleagues present for the debate will have attended it. We saw harrowing videos of how animals are treated in the fur trade, and we saw examples of cages and the very small spaces in which animals farmed for fur spend their entire lives. It was a very graphic demonstration of what we are talking about, and it is not easily forgotten—as it should not be.

There is plenty of expert scientific evidence. The European Commission Scientific Committee on Animal Health and Animal Welfare puts it clearly: “Current husbandry systems cause serious problems for all species of animals reared for fur.”

As we have heard, animals such as foxes and minks are suited in their natural habitat to roam far and wide. When those animals are farmed for fur they are kept in small cages less than 1 metre square.

Mohammad Yasin (Bedford) (Lab): We rightly banned fur farming about 20 years ago, to end such barbaric and unnecessary suffering, but does my hon. Friend agree that as long as we continue to import fur we are complicit in creating a market so that animal suffering continues?

Daniel Zeichner: I absolutely agree with my hon. Friend and near neighbour. Complicit is a word I have already used, and that is effectively what we are by maintaining this trade.

Andy Slaughter (Hammersmith) (Lab): I congratulate my hon. Friend on securing the debate and on a very fine speech. By banning fur imports, we would depress that market, but would we not also set a good example to other countries? We have a proud record of humane treatment of animals in this country and we could inspire other countries to do the same.

Daniel Zeichner: All my hon. Friends are so prescient that my hon. Friend has now stolen my peroration, but never mind; we will come to that in time.

On the subject of faux fur, I do not think anyone, on witnessing or reading the evidence given recently to the Environment, Food and Rural Affairs Committee about the living space allocated to some of these poor animals, could help but be sickened.

Maria Eagle (Garston and Halewood) (Lab): It was my Bill, which was talked out in 1998, that became the 2000 Act. One reason I took it forward was that the Farm Animal Welfare Council had made clear that there is no way to humanely keep wild animals such as mink in cages and farm them—I do not really call it farming—for their fur, and that a ban was the only way to tackle the inhumanity that that implied. It is true in this country, which was the first nation to ban fur farming, and true in the rest of the world.

Daniel Zeichner: I absolutely concur with my hon. Friend’s comments, and commend her for the work she did all those years ago. Now we have the opportunity to build on that and go further.

Going back to the awful conditions faced by animals, sometimes they are overfed to become much larger than their frames are suited to. Apparently that yields more fur but, unsurprisingly, it can give the animals terrible health problems. As some hon. Members have already mentioned, while fur farms in the UK were at least regulated, we have no control over those fur farms abroad.

Susan Elan Jones (Clwyd South) (Lab): My hon. Friend is being very generous in the time he is giving people. Does he agree that, 20 years or so ago when the ban was brought in, absolutely nobody would have thought there would be such a market for the import of animal fur, and it is vital we toughen the legislation on that?

Daniel Zeichner: Once again, I agree with my hon. Friend.

Going back to those fur farms abroad, the evidence is somewhat contested and there are different conditions in different countries, but it seems to me that the straightforward answer to that is to stop the outsourcing in general. It is not a case of it being out of sight, out of mind; while we are still allowing imports and the sale of fur in this country, I fear we are still complicit, culpable—call it what you like, but we are responsible. Turning to public opinion, it is clear that there is overwhelming public support for a fur ban.
Jim Shannon (Strangford) (DUP): I thank the hon. Gentleman for bringing this debate. Some 100,000 people signed this e-petition, and 400,000 people signed a petition taken to 10 Downing Street. That is an indication of the large volume of the general public who are against any type of fur farming whatever. Does he agree that it is time the Government listen to the half a million people who have said, “We need action and we need it now.”?

Daniel Zeichner: Once again, I agree with the hon. Gentleman. The petition itself is testimony to the strength of public feeling, but on top of that, a YouGov poll in February this year showed that 69% of the public, nearly seven in 10, would support a ban on the import and sale of fur in the UK. There is a significant majority across Labour, Conservative and Liberal Democrat voters too. It is cross-party. It is not a party political issue; it crosses party political allegiances.

Andrew Selous (South West Bedfordshire) (Con): I am extremely grateful to the hon. Gentleman, who is being very generous. I understand that we currently import fur from two other fellow European Union members, Poland and France. Does he know whether we have the power to prevent the imports as an EU member?

Daniel Zeichner: I thank the hon. Gentleman. I will come very specifically to that point later in that speech, but my belief is that we do have the power.

John Spellar (Warley) (Lab): My hon. Friend is right to draw attention to the widespread public support. One should always be careful to differentiate grassroots and astroturf in email responses. On this issue, it is clear that there has been sustained interest for a long time from all the different areas of my constituency, all indicating a deep and long-standing concern that the trade should be ended. I am sure that that is true of other hon. Members as well. That is not just a transient mood, but a long-standing demand.

Daniel Zeichner: My right hon. Friend makes a good point. The number of hon. Members present shows the breadth of support, and the petition shows that it is consistent across the country. It has also been a response to some strong campaigns. There have been 109,554 signatures to the petition, but there is a spectrum of support behind it from significant organisations, including the Humane Society International; businesses such as Lush; and a range of cultural figures such as Brian May of Queen and Evanna Lynch of “Harry Potter”. It is fair to conclude that our country wants to ban fur.

It is not just the UK. Last week I had the pleasure of meeting a Finnish member of the European Parliament, Sirpa Pietikäinen, who leads the cross-party group on animal welfare. She assured me that there is growing public support behind it from such organisations, and that the European Parliament is in favour of a ban on fur farming.

The consumer is unlikely to know that fur is in the product. It is important that we crack down on those who mis-sell. Hopefully, from that Committee’s work, we will see some practical recommendations.

It is worth noting in passing that the evidence from both the Department for Business, Energy and Industrial Strategy and the Department for Environment, Food and Rural Affairs to the Select Committee noted that the Government have not carried out any assessment of the size of the fur trade in the UK. That could show either a lack of diligence on the Government’s part, or that the contribution to the UK economy is of no great significance. I suggest it is probably the latter.

The hon. Member for South West Bedfordshire (Andrew Selous) asked whether we can ban fur should we wish to. The advice I have been given is that we can. Straying into trade territory, which is slightly controversial at the moment, I am told that the World Trade Organisation rules contain article XX (a), which provides an exception to the trading rules for measures that are necessary “to protect public morals”. In 2010, the European Parliament and Council banned trade in seal products in the European Union. That led in 2015 to a challenge from Canada and Norway, which fell when the WTO upheld the right of the EU to prohibit trade in seal products because it was a proportionate measure necessary to protect public morals. That may not be quite the terminology we would use, but hon. Members will get the drift. That important case indicates that WTO members have the freedom to define—without the interpretation of that phrase.

Maria Eagle: Does my hon. Friend agree that, because we no longer produce fur domestically, the WTO could not conclude that anything we did was about benefiting our local industry?
Daniel Zeichner: My hon. Friend is absolutely right. She again pre-empts my argument—I will come to that strong point in a moment.

There is a clear case for that same WTO exception to be applied because there are legitimate and widespread public moral concerns about fur, as we have heard. Similarly, within the European Union, as we currently are, our trade is governed by the principle of the free movement of goods, as set out in articles 34 and 35 of the Lisbon treaty. Article 36 provides a similar clause to that in the WTO rulebook, permitting trade barriers in specific circumstances. It says:

“The provisions of Articles 34 and 35 shall not preclude prohibitions or restrictions on imports, exports or goods in transit justified on grounds of public morality, public policy or public security; the protection of health and life of humans, animals or plants; the protection of national treasures possessing artistic, historic or archaeological value; or the protection of industrial and commercial property. Such prohibitions or restrictions shall not, however, constitute a means of arbitrary discrimination or a disguised restriction on trade between Member States.”

I therefore argue that there is a legitimate argument for the UK to prohibit fur imports on grounds of public morality, similar to the exemption allowed under WTO rules, which has been used successfully, as I just mentioned.

I am told that there is no known EU case precedent for the application of the public morality exemption in the trade of cruel animal products, so this would be an important first and perhaps a welcome gift to our friends in Europe. Crucially, as the UK has no domestic production of fur, as my hon. Friend the Member for Garston and Halewood said, a UK fur import ban could not be viewed as disguised discrimination or protectionism. To use that defence to impede trade, we will need to prove that the public morality against the production of fur, as my hon. Friend the Member for Warley (John Spellar) said earlier, by decades of deep support for a ban in opinion polls, plus the massive public response to the Fur-Free Britain campaign.

Heidi Allen (South Cambridgeshire) (Con): I do not wish to draw the hon. Gentleman away from the core of the debate, but given that he has just outlined why he believes that there are grounds within EU legislation for our stopping the import of fur, does he think that we might set other precedents and extend that to the import of foie gras, which I am deeply uncomfortable with?

Daniel Zeichner: I am grateful to my constituency neighbour. I had not necessarily considered that, but as so often with legislation, it seems that there is more scope to do things than people tell us. There may be more flexibility than is sometimes suggested, so that may certainly be worth looking at.

John Spellar: That is an extremely important point and is actually an important part of the wider debate. Many of these issues are not a matter of EU regulation—they are a matter of political will and choice in this country. The debate’s clear message to the Minister needs to be that the Government have options and should exercise them, and not keep hiding behind a figment of rules from Brussels, which do not have the weight that the Government put on them.

Daniel Zeichner: I once again find myself very much in agreement with my right hon. Friend. My conclusion is very much on those lines, which you will be glad to know I am finally coming to, Mr Hollobone.

The Government’s response to the petition said:

“While some fur products may never be legally imported into the UK the Government’s view is that national bans are less effective than working at an international level on animal welfare standards.”

That sounds very laudable, although it is in fact civil service waffle. I hope the Minister will show some more ambition, exactly as has been suggested. The Government’s response sets up a false dichotomy. A national ban would not stop our Government from continuing to work on international animal welfare, and it would give our country a firm platform from which to work with others. We should be leading, as we should be in Europe generally.

Having had a quick glance at the House of Commons Facebook page and its coverage of the debate, I have to say that I do not think I saw one comment advocating maintaining the import of fur into this country. The vast engagement seems to be entirely on the side of a fur ban, which also seems to reflect the feelings and the comments made by hon. Members.

The EU banned the import and export of cat and dog fur in 2008, and the Fur Free Alliance has active campaigns across the world. New Zealand prohibits mink fur imports; India banned imports of several species of fur; São Paulo adopted a fur farming ban in 2014 and an import and sales ban in 2015; and West Hollywood became the first city in the world to ban the sale of fur in 2013. A few months ago, San Francisco became the largest world city to ban the sale of fur. Designers such as Gucci and Versace have adopted fur-free policies, as have high street retailers such as Topshop and House of Fraser.

Britain has a chance to lead the way in Europe and across the world and become the first country to ban fur imports and trading. What an opportunity we have.

Alex Chalk (Cheltenham) (Con): The hon. Gentleman has been incredibly generous with his time. Does he agree that we in this country sometimes underestimate our power to influence and show leadership? What a powerful statement of intent it would be if we were to take this decisive action and ban fur imports into our country.

Daniel Zeichner: I am grateful that there has been a cross-party voice appealing to the Secretary of State, who is not normally shy in coming forward to seek such opportunities. Why will he not grasp this one? This is what the public want. It is the right thing to do.

4.56 pm

Giles Watling (Clacton) (Con): It is a great honour to serve under your chairmanship, Mr Hollobone. I congratulate the hon. Member for Cambridge (Daniel Zeichner) on introducing this important debate. It is a great honour to stand here and represent the 177 people from my constituency who signed the petition and who, like me, believe that a ban on the sale of animal fur in this country needs to be implemented soon.

Although the Government are rightly recognised as a world leader in promoting animal welfare standards, we must ensure that they have no blind spot on this issue.
There remains a significant and, as has been said, sustained demand for fur trade products in this country. Thanks to that demand, fur imports exceeded £55.6 million in 2016. As an animal lover, I believe that should concern us all, since those products are the direct result of shameful animal welfare practices elsewhere in the world. Around 85% of those products come from foreign fur farms where animals are intensively reared in battery cage systems and where conditions are as bad as, or even worse than, the fur farms we once saw and eventually outlawed in this country.

I have some chilling words from People for the Ethical Treatment of Animals, which says that animals are packed into

“unbearably small cages, preventing them from taking more than a few steps in any direction or doing anything that is natural and important to them, such as running, swimming, making nests, and finding mates. Many animals go insane under these conditions. The anguish and frustration of life in a cage leads many animals to self-mutilate, biting at their skin, tail, and feet; frantically pace and circle endlessly; and even cannibalize their cage mates.”

Even though we should celebrate our world-leading ban on fur farming here in this country, it seems that, as the hon. Member for Cambridge suggested, we have only outsourced this form of animal cruelty. That is why I believe that an import ban should be put in place. I recognise that the Minister might not agree with me, as the Government’s position is to pursue international animal welfare standards and to phase out cruel farming and trapping practices, rather than introducing the ban, which is seen as less effective.

However, although I see the merit in that global approach, and I accept that the ban would not be a silver bullet for animal welfare—the practice will continue in other countries—I do not believe that it is right for our country to remain open to these products. Moreover, I am concerned that the Government’s position relies on the full co-operation of the industry to implement these improvements. Such co-operation has not been forthcoming in the past when, even in the face of intense criticism and public opposition, the industry responded by introducing questionable animal welfare improvement schemes, which only pay lip service to the idea, rather than address the fundamental inadequacies of the battery cage system.

I do not believe that co-operation will be forthcoming in the future, either. This is a profit-driven industry, and behaviour will be slow to change. By waiting for that to happen, we only prolong our role in supporting and enabling these dreadful animal welfare practices. That is not in keeping with our British values.

With that in mind, I ask the Government to use Brexit not to maintain but to improve on the shockingly weak EU regulations on the import of furs and skins. We have heard that there are countries inside the EU that carry out these appalling practices. The ban should be extended to all animal fur products after our exit. In that regard, Brexit presents us with a positive opportunity: not only to deliver the Brexit that my constituents in Clacton voted for, but to ensure that our laws truly project our British values.

As I have sought to demonstrate, there are significant animal welfare grounds for introducing a ban. I know that point is important, because the Minister has stated previously that any further restrictions on the importing and sale of fur and fur products after we leave the EU will be based on protection of animal welfare. Therefore, as we move forward, I ask the Government to consider the animal welfare issues that I have raised today. I also ask that colleagues—this has been mentioned already—do not see this as a party political issue. There is clearly a significant animal welfare cost from this industry, and we should look to change that together, because although we might not see that cost in this country, that does not mean that we should be turning a blind eye to it elsewhere.

I ask the Government to bear it in mind that more than 69% of the public would support a ban—according to figures from Humane Society International—as would the 400,000 or 500,000 people who have already backed this proposal across, I think, two petitions. I am sure that colleagues here today have had emails from many active supporters—I know they have been emailing me—to ask us to support a ban. That is a further demonstration of the public support for a ban.

I am clear that we must work together to stop the flow of fur trade products into this country. Those products are the result of terrible and sustained animal welfare abuses. Our involvement in this industry as a consumer does not reflect the values of modern Britain. As has been touched on, we will surely hear in the main Chamber today that tasks belong on an elephant, but we should also hear that fur belongs on the back of an animal. I therefore ask the Minister seriously to consider implementing what would be a very popular ban.

5.2 pm

Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): It is a pleasure to serve under your chairmanship, Mr Hollobone. I want to bring word from the far north of Scotland to all who are here today, and perhaps I had better clear the decks by confirming hon. Members’ worst suspicions: I do live in a house in a very remote part of the highlands that contains, I am afraid to say, some animal trophies. Worse than that, I am old enough to remember when well-off ladies wore fur coats. They were made from skins that were probably farmed in those days. My aunt had a fur coat, although I doubt that she paid for it, such was the precariousness of her finances.

That is my background. I now want to give hon. Members a short physics lesson. If we take a rod of glass and rub it with a piece of silk, it takes a negative charge. If we rub it with something else, it takes a positive charge—I am sure that we all did this in physics lessons—and if we put it near little bits of paper, it will pick them up. What shook me at the age of 12 or 13 was what we rubbed it with, which was cat skins—pussycats; moggies. In the physics lab at my state school there were cat skins, and as a young lad I thought, “This was somebody’s cat; it was a pet, surely. What on earth is going on?” So at that age I was put off the whole idea that has led to today’s debate.

I take great comfort from what other hon. Members have said—I will be brief, because I know that many Members want to speak. I am referring to the widespread support for a ban. It is just as deeply felt in the remote parts of Scotland as it is in Camden, the west country or Yorkshire. Believe you me, that is true—I have had a shedload of correspondence about it. Even last week I was contacted by a lady who comes from a crofting background on Skye, Alexandra Smith. One would think that a crofter, out in the sticks, would know about
the rougher end of life, but she, a good Sgitheanach lady—a Sgitheanach is a Skye person; that will test Hansard—said to me, “Please speak in this debate. This practice is abhorrent. I hate it and everything else that is cruel to animals: transporting animals, fur farming and”—

Norman Lamb (North Norfolk) (LD): I just want to make a very quick point. Does my hon. Friend agree that it makes no logical sense that there is special protection, in the form of an EU ban, for cats, dogs and seals while other animals are left unprotected? If the logic applies to them, it should apply to the protection of all animals.

Jamie Stone: I absolutely agree. My good and right hon. Friend is quite correct. One thing that we should be proud of in this country is our well known love of and care for animals. We should never forget that. If the Government can see their way to a total ban, perhaps we will set an example to the rest of the world and do away with this horrific and hateful practice.

5.5 pm

Andrea Jenkyns (Morley and Outwood) (Con): It is an honour to serve under your chairmanship, Mr Hollobone. I thank the hon. Member for Cambridge (Daniel Zeichner) for securing such an important debate.

I start by congratulating my right hon. Friend the Secretary of State for Environment, Food and Rural Affairs and my hon. Friend the Minister on their work so far in leading the way on tackling animal cruelty. However, we still have a long way to go. As an animal lover, vegetarian and lifelong animal rights activist, and as a compassionate human being, I urge the Minister to listen intently to the strong messages in this Chamber, coming from across the parties, in support of a ban.

I was pleased when fur farming was banned in England and Wales in 2000, and in Scotland in 2002. However, as we have discussed, fur products can still be legally imported from other countries. The only way to end animal suffering to other countries. The only way to end the farming of wild animals in tiny wire cages, as it is demonstrably inhumane. There is no need for it in 21st-century Britain.

As I said, the Secretary of State has shown real leadership when it comes to banning ivory, introducing CCTV in slaughterhouses and cleaning up our oceans. I hope that he and his Ministers see the need to tackle this animal cruelty. In my opinion, by not banning fur, we are inadvertently condoning it by allowing it to be imported from other countries.

5.9 pm

Kerry McCarthy (Bristol East) (Lab): It is a pleasure to serve under your chairmanship, Mr Hollobone. I congratulate my hon. Friend the Member for Cambridge (Daniel Zeichner). It is always difficult to present the results of an e-petition, particularly when so many people want to intervene. He did a sterling job. I also thank the more than 109,000 people who signed the e-petition. That shows the strength of support across our constituencies for a ban on fur sales in the UK.

In my view, we should avoid all exploitation, abuse and slaughter of animals where we can. Fur farming is just a tiny part of that.

Danielle Rowley (Midlothian) (Lab): Sadly, too much of the fashion and beauty industries rely on cruelty to animals. Does my hon. Friend agree that, no matter what, cruelty and suffering cannot be the price of fashion?

Kerry McCarthy: I agree. Thankfully, we have made great strides in recent years in banning cosmetic testing on animals. I am not totally averse to all animal testing. People might assume that I would be averse, but I would make an exception in cases of important medical research where there is no alternative. However, people can live without personal vanity and frivolity. There are sustainable, ethical alternatives on the market for clothes, cosmetics, household products and other things that have not been banned from animal testing. In such cases we ought to be pushing for progress. That is why I am speaking today. Although I would like to see far more progress across the board in terms of animal exploitation and cruelty, I am happy to be here, supported by colleagues who are also in favour of a ban.
As we have heard, fur farming was banned in England and Wales in 2000, and in Scotland two years later, on the grounds of public morality. The fact that imported fur produced using the same methods is still allowed is fundamentally illogical and surely immoral too.

My hon. Friend the Member for Cambridge has dealt with the legal position. I tabled a lot of questions at one point about foie gras. Why, if we banned it in this country on the grounds of public morality, could we somehow accept that it was fine for the French to do it and send it over here for people to have in their Fortnum & Mason hampers? There is a strong legal case for us banning it even if we do not leave the European Union.

John Howell ( Henley) (Con): Surely the reason that there is so much cross-party support behind this motion is because we all feel so compassionate. It is not the details of what happened. It is just a feeling of compassion that makes us all support what the hon. Lady is saying.

Kerry McCarthy: I totally agree. That is why so many people signed the e-petition. I would like to see people’s compassion extending to other animals, such as farm animal welfare, but I will not go there today—we would have substantially less consensus.

A lot of our fur imports come from countries that have lower animal welfare standards than the UK has, even before we introduced the fur farming ban. In some countries, the standards are simply non-existent. The Select Committee on Environment, Food and Rural Affairs, which I am a member of, has just conducted an inquiry into fake fur farms in Finland found morbidly obese foxes that had been grossly overfed and selectively bred to have large folds of skin so that they would produce more fur. This kind of breeding causes an array of health problems for the foxes, including poor reproduction, metabolic disorders and even DNA damage, which cannot easily be identified by the brief visual inspection required for a fur farm to become certified. One awful symptom seen repeatedly is foxes having bent and malformed feet, which occurs due to their forced obesity. That is hugely painful for the animals and severely impedes their mobility, sight and ability to breathe. There is a parallel with how birds are force-fed for the production of foie gras, which leads to their inability to lift themselves off the ground because they are so obese.

This is not just happening on one rogue farm on a bad day. A year later, the Daily Mirror went back and found the exact same conditions. Unfortunately, rather than the animal welfare charities cherry-picking the worst examples of fur farming, I have been told that the only cherry-picking taking place is filtering out the most graphic injuries and deformities. Investigations have recorded incidents of cannibalism, infanticide and severe, untreated wounds. Instead of a so-called humane death, there are reports of animals being beaten and stamped to death, and of some even being skinned alive.

Even if we do not look at those worst-case scenarios, the best condition that animals on a fur farm can hope for is to be kept for their whole life in wire-floored tortures, which are thousands of times smaller than their natural habitats, while being denied basic behavioural needs such as hunting or swimming, with no mental stimulation and constant stress from being in unnatural social groups and situations, before being killed by gassing or electrocution. No one could argue that that standard of life for an animal on a fur farm constitutes a good or happy life.

The European Commission Scientific Committee on Animal Health and Animal Welfare stated as far back as 2001 that the typical cage in fur farms—not just the worst cage, but that used most frequently—“does not provide for important needs of foxes” or mink. As a result, abnormal behaviours are far from unusual. In fact, they are “widespread”.

The UK’s ban on fur farming was introduced only after our Farm Animal Welfare Council spent years gathering evidence, eventually concluding that fur farms are simply unable to satisfy even the most basic needs of the wild animals kept in them. It explicitly stated that it was not possible to safeguard the welfare of animals kept on fur farms.

Even more distressingly, research has shown that the environment of fur-farmed animals is so impoverished and alien to their natural behaviours that it is impossible to rehabilitate them. Fur farming is causing animals to have permanent brain dysfunction through sensory and motor deprivation during development. This dysfunction can be genetically transmitted from mothers to their offspring. Why do we continue to allow this industry to flourish through allowing millions of ‘pounds’ worth of imports and sales into the UK? As my hon. Friend the Member for Cambridge said, why is it seen as okay to outsource the cruelty overseas when we do not see it as an acceptable practice in this country?

Giles Watling: Does the hon. Lady agree that there is a correlation between exporting cruelty elsewhere by importing fur and live exports, where we grow animals in this country, then pack them into crates and take them overseas where they can be abused?

Kerry McCarthy: I would be more than happy to support the hon. Gentleman in calling for a ban on live exports. At the moment, I understand there is a ban on animals being taken overseas for slaughter, but not for fattening. That seems to me to be a strange distinction. Surely we ought to be stamping out the exporting and transporting of animals in inhumane, cramped conditions.

I want to briefly mention the evidence we saw in the Environment, Food and Rural Affairs Committee. Some people might argue that it is up to individual members of the public to exercise choice as to whether they want to boycott products that contain animal fur or shops that sell such products. Humane Society International’s recent investigations have shown that mislabelling of real fur as fake fur, or fur products having no labelling at all, is rife on the high street, whether by active disregard or innocent oversight. Complex, multi-country and subcontracted supply chains mean that shops often just do not know what is in their products by the time they arrive in the UK.
I was reassured by the evidence from the likes of Amazon, which seemed truly committed to trying to stamp out real fur sales. It talked about tightening up a lot of processes. Obviously it was trying to put the best gloss on that, but I felt it was genuine in its desire to address this.

Sir Roger Gale: I sought to make this point earlier, but I will make it again. We must not and cannot absolve the retailers from their duty of care. It is absolutely vital that people understand that this trade is revolting and that they should have no part of it.

Kerry McCarthy: That is exactly why the Select Committee took evidence from the likes of Amazon and Camden Market. A lot of these items are found on market stalls, but they have also been found in shops such as Boots, Tesco, FatFace, Groupon, House of Fraser and Missguided—well-established chains that need to get their own houses in order. Some of them had explicit fur-free promises, which they need to live up to.

I reject, too, any claims from the fur lobby about its “Welfur” mark. On two occasions—once at the APPG on animal welfare, and once when the fur lobby gave evidence to the Environment, Food and Rural Affairs Committee—I have heard that a cruelty-free version of fur is on offer, but the fur trade is a cruel, ugly business, no matter how it is dressed up and marketed, and no matter how glamorous the end products or the people who might wear them are.

I implore the Minister to take heed of this debate and to recognise that it is indicative of much wider public support for a ban. He is a great enthusiast for Brexit, so whether or not we are allowed to do it under current rules, I hope he sees it as something that we can do in future.

Karen Lee (Lincoln) (Lab): I am a very new MP—I am only a year in—but more than 200 people in Lincoln responded to the petition, so it is the single biggest issue since I was elected. Does my hon. Friend agree that, for many MPs, it has had a huge response?

Kerry McCarthy: Yes, and that is often the case. I had 500 emails about puppy farming, which was an earlier iteration of the campaign. I should say hello to Marc from that campaign, who is in the Gallery yet again—he is here more often than I am.

Let us stop outsourcing this cruelty and introduce a ban on all fur imports as soon as possible. It is the humane, moral and right thing to do, and it is something that the public want us to do.

5.20 pm

Bill Grant (Ayr, Carrick and Cumnock) (Con): It is a pleasure to serve under your chairmanship, Mr Hollobone. I thank the hon. Member for Cambridge (Daniel Zeichner) for securing this important debate.

The UK Government can be proud of their record on animal welfare, and of the fact that this country is a world leader in that field. That is reflected in the many restrictions that we have placed on the fur trade. For example, it is already rightly illegal to bring into this country furs derived from cats or dogs, or any products made from cat or dog furs, but we can improve on that.

Similarly, we prohibit the import of furs or fur products from 13 different species when they originate in countries where those species are caught by inhumane trapping methods. Those are welcome measures to act against poaching and inhumane trapping or securing methods, and to keep furs obtained through those methods out of the United Kingdom. We can be proud of that, but we can and must do more. I am pleased that the UK Government have been the driving force in the adoption of restrictions such as those at the European level. I am confident that, as we leave the EU, we should keep restrictions in place and work to improve them.

Although the people who signed the petition did so out of a heartfelt concern for animal welfare, which I also feel as an animal lover—I have said before in this Chamber that I am fond of animals and that I come from a farming background, and I realise the care and attention that is given to domestic and farm animals—I fear that a blanket ban would run the risk of fuelling a worldwide illegal market in fur that had no respect for animal welfare or the protection of endangered species. As has been mentioned, some products are already marketed as fake fur that have been found to contain real fur, and even cat fur.

We should be under no illusion that the threat of an illegal market exists—it needs to be recognised and robustly dealt with. To assist in raising standards and to tackle the illegal market, we need international co-operation. As a nation, we have an opportunity to step up those efforts as we take control of our own trade policy. We must use that new trade policy to encourage the adoption of higher standards of animal welfare worldwide. I share the concerns of the many people in my constituency and throughout the United Kingdom who signed the petition. As has been said, the public response is crystal clear, and I hope the Government are listening.

One way to reduce the legal and illegal fur trade is to reduce demand. I ask people to think carefully before buying a fur product about whether they really need it. There can be no pleasure in owning or wearing ill-gotten fur. Despite my concerns about the potential for an underground or illegal market, I support many of my constituents in supporting a ban on all fur imports to the United Kingdom, which should mirror the ban on ivory products.
constituency, it seems as though every single one of those petitioners sent me an email in support of a ban, as hon. Members will not be surprised to hear, given that the position we are in does not make a great deal of sense.

As hon. Members have already said, apparently the practices that we have rightly outlawed in this country to protect domestic animals, on the basis that they are crude and barbaric, are okay if they happen elsewhere. Of course, we cannot tell another country what to do with its domestic laws but we can send a message about the importance this country places on animal welfare.

When I read reports about animals chewing off their own limbs in an attempt to break out of the traps they have been caught in, I am sickened and appalled. I do not want anything that has been produced as a consequence of that to enter this country, and I am sure most people feel the same. It is positive that this country no longer tolerates such cruelty, but if we allow imports from other countries where that sort of sadism goes on, we wrap ourselves in a false comfort blanket.

I am aware of the counter-argument that suggests that the better way to deal with animal cruelty is to work internationally to raise welfare standards. The Government’s response to the petition stated that “we are working at an international level to agree global animal welfare standards and phase out cruel and inhumane farming and trapping practices. We believe this is the best way to prevent animal cruelty and that this approach will lead to a much higher level of animal welfare standards.”

It is arguable that such an approach might be preferable, but there is absolutely no evidence that it will work within a reasonable time period—there is an almost touching naivety about it. In reality, nothing in that statement says why a ban on imports cannot happen; surely international work to improve welfare standards can be done at the same time as imposing a ban on imports.

With everything else that will be going on in our post-Brexit world, I fear that we will have to use up an awful lot of goodwill that we might have gained to secure new trade deals, and that we will have little flexibility left to push on other issues. The sort of issues that we have discussed today will be towards the end of a long list.

The rise of online traders makes it harder and harder to police welfare standards. We can buy almost anything from anywhere in the world, which is a great thing for consumers, but the downside is that it can be difficult to meaningfully establish how a product was made and its adherence to ethical and welfare standards. There is no practical way of enforcing that, which is why an outright ban is so attractive.

Lots of people believe that there can be no ethical basis for the purchase of fur products, which is why polling has consistently shown that a very large majority of the public favour an outright ban on fur imports, as we have already heard. That is why the Government need to come forward with a positive strategy. If something is wrong, it does not matter which country it happens in. The time has come to end the contradiction in policy and implement a full ban.

Giles Watling: Will the hon. Gentleman give way?

Justin Madders: I have actually just finished.

Simon Hoare (North Dorset) (Con): It is a pleasure to serve under your chairmanship, Mr Hollobone. Let me start by making it clear that I hate, and have hated for all my thinking life—which might be quite short, I do not know—[Interruption.] My hon. Friend the Member for Banbury (Victoria Prentis) knows me too well. I have always hated the fur trade. It is interesting that the debate has not divided on party grounds. It is a rather philosophical debate, because this is one of the few issues that appears to unite vegan and carnivore—the hon. Member for Bristol East (Kerry McCarthy) and I appeared on a BBC politics programme the other week to discuss the dairy sector. It also unites people with diametrically opposed views on country sports; indeed, it unites people with diametrically opposed views on all sorts of issues.

I slightly stand aside from the narrative of animal rights, because the giving of rights is a peculiar legal minefield. However, what trumps even that issue is our human duties, responsibilities and response to public morality. I start always by asking this question—is the fur trade actually needed? My judgment is that it is not.

Frankly, I could not care less about how marvellous the standards are for animals, or—more usually—how bad the standards are. It is the principle of farming for fur that I find so objectionable. Animals could be put up in the animal equivalent of the Ritz hotel; they could be given room service 24/7; and they could be killed in the most humane way possible, even being tickled to death by a swan’s feather, so that they go out laughing. The principle would still be wrong. So, to those who talk about the “fur fair” campaign and such things, I think that is totally the wrong line of argument to deploy. We should ask ourselves, “In the 21st century, is this a trade that we want to see?”

Of course, regarding the wearing of fur, one can go back to the sumptuary Acts of the Tudor period, which very clearly set out—in Acts of Parliament—who was allowed to wear ermine, who was allowed to wear mink, who was allowed to wear lynx fur and all the rest of it, as fur was a huge status symbol and people in those times often flaunted their wealth by the wearing of furs.

I think that people now have other ways of demonstrating that they are wealthy and have access to lots of consumer goods without having to put the skin and the fur of another animal on their backs.

We can point out to those countries that still condone and support fur farming that the economy of a country does not collapse when it is made illegal. When the hon. Member for Garston and Halewood (Maria Eagle) introduced her private Member’s Bill, I am sure people said, “Oh, job losses and unemployment, everybody will get rickets and bubonic plague will break out and God knows what else, because nobody can afford any taxes for the health service!” But the sky did not fall down. People who had been involved in the UK fur trade went off and did something else, and the economy kept going.

I think that nationally—not in this debate, but nationally—we are inclined to do something in this House, we make something illegal, we assuage our conscience and we say, “Job done!” We are, of course, fur farmers by proxy, because other countries are farming fur, the demand for which in the UK is worth—I think
my hon. Friend the Member for Morley and Outwood (Andrea Jenkyns) said this—£56.5 million in fur sales. So we clearly have to do more as parliamentarians and public policy makers to inform our fellow citizens that fur is something that they should not want, buy or look for.

I entirely agree with my hon. Friend the Member for North Thanet (Sir Roger Gale) when he talks about the absolute “duty of care” on retailers. The hon. Member for Ellesmere Port and Neston (Justin Madders) mentioned internet sales, which I will not go into because everybody tries to grapple with them, and I have not found a solution for controlling such sales; frankly, we know it is a problem. However, at a time when the high street has never been more competitive—fighting over market share—it strikes me as unconscionable that high street retailers are flogging products to people that they believe are fake but are actually real, because those products can be sourced from overseas at very cheap prices. Those retailers should be called out and those customers should not be going through their doors, because the power of the credit card, the purse and the wallet speaks, and in a competitive, cut-throat retail sector I suggest that the customer is king.

Sir Roger Gale: First, I am grateful to my hon. Friend for making the point that I had tried to make so much better than I made it myself. Second, when the House voted to ban fur farming in 2000, we did so because we believed that it was a vile practice and that it had no place in modern British society. We did not vote to move the problem from A to B. Therefore, when my hon. Friend the Minister responds to this debate, it is only logical that he says that having willed the ends we must now will the means, and ban the trade.

Simon Hoare: My hon. Friend is right and if legislation was before us that banned the import of foreign-farmed fur into our country, he would find me in the Aye Lobby voting for it. However, his argument also goes to the point that we slightly salved our domestic conscience when we said—it was before my time in the House—that we have banned fur farming here, but we have not spread the message as to why we banned it, and nor have we pointed out that the doom-mongers’ prediction of an economic collapse after a ban has not materialised. We have not been strong enough in taking that message to those countries where fur farming still continues.

To state the blindingly obvious, we are no longer an imperial power that can send a gunboat to countries that we do not like, so that we can bully people into obeying. However, we can take our soft power and our leadership, and use them. If we wanted to find an example of where we had done that, we and some allies did it on climate change. We realised that there was an issue that needed to be addressed, and through Kyoto and other initiatives we got the world thinking collectively about climate change and the imperative of dealing with it in a proper way to safeguard humanity.

Now, let us not ascribe the same scale to fur farming as to the future climate of our world, although for some it will be equally important, but we should be talking to those countries that still farm fur. Frankly, if our banning imports meant that somebody lost £56.5 million of sales, I suggest that they would just find that money elsewhere in the world market. They will not stop farming fur because we stop importing it. Banning fur imports will make us feel better; of course, it will. We can write to those constituents who have emailed us on this issue—I have had many emails from my constituents in North Dorset—

Giles Watling: On that very point, does my hon. Friend agree that by banning imports of fur products into this country, we would lead where others might follow?

Simon Hoare: My hon. Friend makes a point, but if he looks at this matter dispassionately he will see that, although we banned fur farming, the major countries that do the large-scale fur farming have not followed suit. So, yes, we can act and, yes, that would close off to all but the illegal trade the market in fur in this country, but we have to do far more in terms of world leadership to help those countries that have a fur farming sector, to show them how they can move away from it, how they can support the creation of new jobs and how they will not see a black hole in their economy if they ban it. So, let us lead by example, of course, but let us also use the soft power that the UK has.

Jamie Stone: Does the hon. Gentleman agree that banning fur farming in this country while still buying fur has the smell of hypocrisy about it, whereas a total ban would surely take us to the proper moral high ground, and that in the scheme of things that can appeal to other people and so our influence might well percolate out?

Simon Hoare: The hon. Gentleman is absolutely right and a total ban is one of the weapons in the arsenal that one can deploy. It would be bonkers for us to exhort people to stop farming fur if we were still seeking to import it—that is absolutely right. I suggest to the Minister that now—20 years down the timeline set out by the hon. Member for Cambridge (Daniel Zeichner)—is the time to take that next inexorable step of a ban on UK imports. Having done that, in a timely way, it should not be a matter of thinking “job done”, popping open the Pol Roger, the prosecco, the cava or the drink of choice and saying, “Aren’t we good?” The task then moves to the next stage—the two stages could run in parallel—of convincing those countries that still farm fur that it is time to stop. In the 21st century, the human body does not need another animal’s furs to keep warm. We have ways of doing that and of displaying our disposable wealth other than by wearing the pelt of an animal on our backs.

Gavin Robinson (Belfast East) (DUP): The hon. Gentleman knows me to be an Ulster MP, but I was surprised when researching this issue that there are still three animal fur farms in the Republic of Ireland, one of which is in Ulster—in Donegal. Those farms kill more than 200,000 mink per year. Does the hon. Gentleman agree that a good starting point would be our nearest neighbour and trusted friend—a European partner we collaborate with and sit on British-Irish ministerial councils with—and that in this area we could convince it of the sound arguments, so that it would end its fur trade?
Simon Hoare: I agree entirely with the hon. Gentleman. He catches me totally by surprise, by saying that that remains a fact as we start the second half of 2018. That should be one of the easy wins—if one likes—in our campaign to stop the farming of fur for the retail and fashion trade.

I conclude with two key points. The first is about labelling, customer awareness and customer pressure on the retailer. It is a cut-throat marketplace and high street at the moment and now is the time for the consumer to speak. The second is world leadership. Let us ban here first and take that message, that dialogue and that discussion to those countries that continue to farm fur. Let us make it clear to them that we are not interested, per se, in the standards by which the animals are kept or the manner in which they are killed, germane and pertinent as those matters are. We urge them to stop farming fur because we think it is wrong and it is for our country to show the moral and legal leadership I know it can provide.

5.42 pm

Maria Eagle (Garston and Halewood) (Lab): It is a pleasure to serve under your chairmanship, Mr Hollobone. I was the MP who, 20 years ago—it seems like yesterday—introduced the original Bill on fur farming in the 1998-99 Session, and it was only because I was fortunate to come second in the private Member’s Bill ballot that I was able to do that with any prospect of success. It was as a consequence of that origin, as a private Member’s Bill, that the legislation was drawn narrowly. I wanted to succeed, and having a broad Bill when debating time is restricted is not a good strategy. I thought very early on, "I want this Bill to get on to the statute book, so let’s draw it narrowly. Let’s deal with fur farming in this country"—in England and Wales as it was—"—and keep it to that". The international fur trade was somewhat on the slide at the time and there was, I think, a reasonable hope that it was sinking and might not recover in the way in which the past 20 years have shown it to.

To my mind, the focus had to be on banning so-called fur farming. What goes on in these places can in no way be called farming; it is factory production of fur and it is as well to bear that in mind. When we say “farm” we think of nice socially useful things that feed the population and help to keep us going. There is no way the production of these animals for fur across the world—no longer here, thank goodness—could possibly be described as farming. Let us be clear about that: it is fur factory-farm production.

Coming back to this debate 20 years later, I hear the same arguments and see the same appallingly poor standards and conditions, and the animals going through the same terrible, unconscionable suffering wherever the fur is produced. There are no viable, humane standards for fur factory-farm production; they do not exist. The farm animal welfare people at the time were right that it was impossible to produce fur humanely and with any kind of welfare standards in the way in which it was being produced.

I was somewhat shocked, on coming back to the debate 20 years later, to see that 135 million animals are killed for their fur worldwide and an estimated 2 million pelts are imported into the UK every year. That is a lot of unconscionable suffering that we, when we banned fur farming in this country, thought to put an end to. I had hoped that the trade would decline and decline, since it was clear that most people, certainly in this country, did not approve of treating animals in this way. When the public are asked, usually at least three quarters of them reply that they want to see these practices banned. So there has been no reversal of the views of our constituents about how animals should be treated, it is simply that the trade has gone back up and, unbeknownst to most people, the number of pelts being imported has gone up. It seems that fur is not the luxury it was once seen to be, and that is probably responsible, in part, for the increase in the trade.

Given that we have been disappointed that the trade has not naturally declined and given up the ghost, now is the time to remove the contradiction between our having banned fur farming ourselves and our still importing pelts to that level. Now is the time to say, “Okay. It didn’t die out naturally. Let’s kill it off.” There is no way in which fur farming can be done properly or humanely.

Alex Sobel (Leeds North West) (Lab/Co-op): One reason for the trade going up has been the phenomenal success of Canada Goose, a company that uses real fur trimming from coyotes that are hunted—humanely it says—in Canada. Leghold traps are legal there, but a mother animal, if caught, will chew off her leg to get back to her children, which can in no way be humane. We should call on companies that use fur trimming to do what their rivals do and use artificial fur.

Maria Eagle: I agree with my hon. Friend; I do not think that it is possible to hunt humanely with those kinds of traps. Indeed, they have been banned in this country for decades longer than fur farming has been banned. We should not allow that kind of trade into this country.

This is not a party political debate. I hope that the Minister realises that there is widespread support across parties—as there always has been, and as there was at the time of my Bill—for banning this inhumane and appalling way of treating animals. It is not a party political issue, but perhaps the Minister would like to talk to some of his colleagues, particularly in the Lords, who appear not to have fully understood the nature of the ban introduced in 2000. When the Select Committee took oral evidence from Lord Henley, he said:

“I have no desire to close things down. I am not in the business of banning things.”

Lord Gardiner said he was

“committed to improving the welfare standards of animals across the world.”

Lord Gardiner ought to know that that cannot be done with fur farming; there are no welfare standards that are acceptable. He said that animals

“for whatever purpose are reared and then killed in a humane manner”
and that the fur industry needs
“to be thinking about how we produce fur in a more humane manner, for the reasons that if it is to have a future, needs to be concentrating on humane and sustainable farming and trapping.”

The Minister needs to go back to his Department and have a seminar with his colleagues in the Lords, about how impossible it is to do the things they seem to think are possible. If they represent the Government’s attitude to the issue, we are not going to see any progress.

It is not possible—I cannot stress this enough—for fur farming to be done humanely. It has to be banned. After all this time, as the first nation in the world to ban fur farming, we can take a leadership position around the world, but we will only do so if Ministers in the Department understand that it is not possible to do this farming better.

Mr George Howarth (Knowsley) (Lab): My hon. Friend is making a powerful case. The core of her argument—I agree with it—is that the ban can be done. Does she agree that it is within the scope of the Government and the Minister to change the practice of importing fur in a way that would please not only those of us taking part in the debate, but the majority of our constituents?

Maria Eagle: I think it is possible. It was certainly possible for us to ban fur farming in this country even though we were a full member of the EU at the time and were not talking about leaving. Leading by example is a very good thing. We have done it before: following our ban on fur farming—we were the first country in the world to do so—there have been full bans across many European countries, inside and outside the EU. Austria, the Netherlands, Croatia, Slovenia, Bosnia and Herzegovina, Serbia, the Republic of Macedonia and, most recently, the Czech Republic have banned fur farming. I gave a seminar to Czech parliamentarians ahead of them considering their legislation, and I heard the same arguments from their fur trade people that I heard 20 years ago from the then remnant of our fur industry. There are partial bans in Belgium, Denmark and Hungary. The Germans have just increased their regulations to require all farmed mink to have water to swim in. I doubt that will do much for the viability of mink farming in Germany—in fact, I think it will make it completely unviable.

Progress is being made, but it is too slow. Given the statistics about the level of the trade and the fact that it has not died out, as we might have hoped 20 years ago, now is the time for us to take that next step. I do not agree for a minute that it matters whether we are inside or outside the EU; we can do it either way. We do not have to ask anybody; we can do it ourselves, and parliamentarians should do it. I think we will, and I hope that in considering the matter the Minister will take a view that his colleagues in the Lords did not sufficiently understand the nature of the trade to properly set out the Government’s position to the Select Committee.

I hope that the Minister will take this opportunity to express that the Government, of which he is a member, will take forward the banning of this trade, because it is time. It is something that our constituents want. Over decades they have shown a very high level of support for banning the trade and for looking after animals properly. The idea that we can have 135 million animals killed for their fur every year, having put up with the most appalling suffering, is unconscionable. We need to act. We need to lead the world again. The Minister is in a position to do it, and I hope that he will. Perhaps he will tell us so today.

Patricia Gibson (North Ayrshire and Arran) (SNP): I am delighted to speak in this debate, which is sponsored by the hon. Member for Cambridge (Daniel Zeichner). I thank him for his constructive, thoughtful and comprehensive exposition.

By way of preamble—that is never a good way to begin a sentence—in recent weeks and months, I, like others, have spoken in this Chamber calling for a United Nations ban on the sale of cosmetics tested on animals. I have spoken on puppy smuggling, puppy farms, the ivory trade and a range of animal welfare issues. My constituents in North Ayrshire and Arran care deeply about them, as do people right across the United Kingdom. They are hugely important to our constituents. We are a conglomeration of countries—a political union—that cares very deeply about animals.

This is an auspicious day in Scotland, because today we become the first country in the United Kingdom to enact legislation banning the use of wild animals in circuses. I sincerely hope that other parts of the UK and Europe follow us.

Kerry McCarthy: The hon. Lady makes a pertinent point. I have been told so many times that we cannot introduce a unilateral ban on wild animals in circuses because the EU would not let us, yet we hear that many other countries have done so—Slovakia did so this week. Clearly, being in the European Union was being used as an excuse.

Patricia Gibson: The hon. Lady makes an excellent point. I do not want to wander too far away from the focus of this debate, but we heard today that there might be issues with banning fur sales while we are still in Europe. We need to be careful about finding reasons not to do things. We can always find 100 reasons not to do something, but if the political will is there, we should make a greater effort to do what needs to be done.

As we have heard, fur farming has been illegal across the UK for a considerable time. That ban happened as a response to the public simply making it known to politicians that fur farms were an affront to decency that simply could not and would not be tolerated any longer. Consumers across the UK have been leading the debate, as they often do when it comes to ethical choices, particularly in relation to animal rights. Each year more than 100 million animals around the globe are killed just for their fur, either through being trapped in the wild, which accounts for about 15% of those killed, or from fur factory farms, which account for about 85% of those killed.

The animals farmed for their fur—most commonly, but not exclusively, mink—are wild animals. They are held in the most appalling and unnatural conditions, as was set out clearly and chillingly by the hon. Members...
for Cambridge, for Clacton (Giles Watling), for Morley and Outwood (Andrea Jenkyns) and for Bristol East (Kerry McCarthy). Animals are held in appalling conditions until they are eventually killed for their fur, usually by gassing or electrocution. Those trapped in the wild are most commonly caught in leg traps. Some animals chew through their own limbs to escape and others are left for days until the trapper returns and kills them by stamping or kneeling on them, taking care, of course, not to damage the animal’s pelts.

The sale of fur in the UK has been in steady decline over the past 30 years or so. I am no fashion icon, Mr Davies, as you can probably tell, but fur products have become distinctly unfashionable in many quarters. As I have said, consumers are way ahead of us in Westminster. They have made an ethical choice and have been turning away from fur over the past 30 years, although the volumes of sales are still very disturbing, as the hon. Member for Garston and Halewood (Maria Eagle) pointed out—I thank her for her powerful speech.

We know how consumers feel and we see the evidence in our inboxes. I do not often say this, but the hon. Member for North Dorset (Simon Hoare) is absolutely correct. The trade is simply not needed. A ban on the sale of fur products is important to keep those loathsome ruthless operators in the supply chain who, when we have a ban, will try to pass off real fur as fake fur. We must make sure we are ready for that.

As the hon. Member for Ellesmere Port and Neston (Justin Madders) pointed out, it is not good enough to wait for international welfare standards to improve and simply make the issue go away. A ban would hasten improvements in animal welfare internationally, not impede them. We cannot, as my former head teacher used to say, move at the rate of the slowest caravan.

The UK public, in numbers that are growing all the time, are appalled by the suffering caused to animals by the fur trade. A YouGov poll in February of this year showed that 69% of the British public support a ban on the import and sale of real fur, regardless of their political affiliation. It cuts through any voting behaviour and other belief systems people have. The World Trade Organisation has set a precedent for a ban, as the hon. Member for Cambridge (Daniel Zeichner) pointed out. Following challenges by Norway and Canada, the World Trade Organisation upheld the right of the EU to ban trade in seal products on the grounds of public morality. It noted that commercial seal hunts pose inherent dangers to animal welfare and the ruling was upheld on appeal. The door is open for a ban on the sale of animal fur in the UK. The question is whether the Minister will allow us to walk through it.

All lucrative endeavours bring with them powerful lobbyists such as we have seen with the tobacco industry. The latest example in the fur industry is an organisation called WelFur. I am sure the Minister is aware of the comprehensive and rigorous “Scientific Review of Animal Welfare Standards and ‘WelFur’”, which concluded: “WelFur is not able to address the major welfare issues for mink and foxes farmed for fur...or the serious inadequacies in current labelling and regulation.”

I am sure the hon. Member for Garston and Halewood also pointed that out.

For me, and I believe for many people in the UK, it is quite simple when we get right down to it—we have heard it said repeatedly in the debate. If we banned fur farms because of the cruelty they inflict on animals, it is simply not sustainable—and, indeed, it is actively hypocritical—to allow the sale of real fur in the UK. It suggests that the suffering inflicted on animals for fur is absolutely fine as long as it is not done in the UK. It is not fine. Probably everybody in this Chamber believes that, and every constituent who has contacted me believes it. If something is wrong because it is cruel, it is wrong regardless of where it occurs. The best message we can send today is to show how strongly we believe that by refusing to allow real fur into the UK for sale. We have outsourced the cruelty, as the hon. Member for Morley and Outwood has pointed out, and it is not good enough. No matter what animal we are talking about, the cruelty inflicted is simply not justifiable or acceptable.

I will end by urging the Minister to screw his courage to the sticking place and implement a ban on the sale of animal fur in the UK as soon as possible. The House supports it and our constituents support it and want it. Let us make it happen. I have no doubt that other countries will follow.

6.5 pm

Dr David Drew (Stroud) (Lab/Co-op): I am delighted to serve under your chairmanship, Mr Davies, and that of your predecessor, Mr Hollobone. I thank my hon. Friend the Member for Cambridge (Daniel Zeichner) for introducing the debate—he stole our thunder by giving all the evidence. We have also had important contributions from the hon. Members for Clacton (Giles Watling), for Caithness, Sutherland and Easter Ross (Jamie Stone), for Morley and Outwood (Andrea Jenkyns), for Ayr, Carrick and Cumnock (Bill Grant) and for North Dorset (Simon Hoare), and from my hon. Friend the Member for Bristol East (Kerry McCarthy) and for Ellesmere Port and Neston (Justin Madders). We had a tour de force from my hon. Friend the Member for Garston and Halewood (Maria Eagle), who is responsible for taking us to the stage we are at today, and I very much concur with the contribution from the Scottish National party spokesperson, the hon. Member for North Ayrshire and Arran (Patricia Gibson).

I will start with my usual appeal. It is a little strange that we are here in this place. We should be somewhere else later debating the Ivory Bill. I say in all sincerity to the Minister that the ban on animal fur would be much better catered for in a genuine animal welfare Act, which is what we should all push for, where all the different measures would come together. We have not had one for some considerable time. It would be helpful to address the matter in primary legislation. We are thankful that the Government have introduced the Ivory Bill, but it would be nice to think that this would be part of proactive legislative action so that we can deal with all the measures. Not one speech has wavered from the fact that we all want a ban and we want it now, and we want it done in a way in which we yet again show the world that this issue matters. It matters because of the
109,000 people who have signed the petition, but I know there have been other petitions that got into hundreds of thousands because the issue touches a raw nerve. People do not believe that, having banned it in this country, we should get fur in through the back door, particularly as it looks as though we have simply outsourced our cruelty. That cannot be right. It is not fair and it is not moral.

The Bill promoted by my hon. Friend the Member for Garston and Halewood was about morality, taking a stand and making it clear that we wanted to ban fur farming. We were told that we could not do it. We were told that it would cost lots of jobs and that it was a minor industry. We were told that for those people who wanted to wear fur it was right that they had a choice. Sadly, we have proved them wrong, but there are people who still think that fur can come in through the back door and we now have to do something about that, so we are revisiting the 2000 ban, which is popular. It is fair to say that it was popular across the House, although there were a few backwoodsmen, whose names will not be recalled, who spent time trying to delay the process, but we took them on and we beat them. It was a great pleasure to see a Labour Government enact the legislation and people felt that we had a strong stance on animal welfare.

It is therefore disappointing that what goes on elsewhere in the world still has an impact in this country. Certain animals are bred in the most cruel manner simply so that somebody can enjoy wearing fur. I do not understand not only why we cannot lean on the retail trade, but why people wear fur—to me, it is the same as wearing a swastika or something. People should not think that it is acceptable; it is not. It is a form of licence that people generally feel we should do something about. It appears that 90% of the British public support us, which is a pretty high figure. People ought to respond to that by recognising that if they have furs in their top drawer, they should quietly dispose of them. It is not acceptable in this day and age to wear them.

We largely welcome what the Government have said, although we do not necessarily agree with their inaction and unwillingness to consider the issue. We also want it to be part of a more comprehensive policy that shows that we are leading the way in this country—with action, not words. In Labour’s animal welfare plan, a ban on fur imports is one of our 50 commitments. It is important that we make such commitments in opposition. The difference is that we intend to carry them through if and when we are elected.

It is important to recognise that animal welfare is a key issue. So many Members have spoken in today’s debate, and I did not count the number who intervened. The poor presenter of the petition must have taken about 12 interventions. He eventually went back 20 years; I think we must have all gone forward about 40 years with the number of people who wanted to contribute. People feel very strongly about this issue. Hon. Members have turned up to the debate partly because they feel passionately about it, but also because they have been petitioned by their constituents, who want their Members of Parliament to do something about it. That is why we have the petitions process. People can influence policy, and influence their MPs to do something about policy.

In the nicest possible way, I hope that the Minister has listened. He might not clarify all the things that we want him to today, but in due course we want him to accept that there is overwhelming support for such changes. As I said, we can take this forward in various international treaties and negotiations, and say that the world has to ban this heinous crime. It is despicable. There are no grounds for the way in which some countries and people still think that they can earn a living from it. It is not acceptable, and we should say so loudly and clearly.

We have heard a lot about the suffering and the nature of the industry. I will not labour that point, which has been made clearly with some very graphic examples of what happens. We must try to persuade other countries, and certainly those within the EU. When we ban it, we should clearly write to them and explain the ban. There seems to be some misunderstanding that our ban was just based within our borders. It should not and could not be. We are still a member of the EU. If there are the issues in the Republic of Ireland that were identified by the hon. Member for Belfast East (Gavin Robinson), we need to write to them and say that it is not something we support. Countries such as Denmark are our close neighbours. I saw the BBC film, which was interesting in how it highlighted what goes on in other parts of the world. Such countries should not be thinking that we just ignore this practice. We should not ignore it; we should take it up and ensure that they understand that what they are doing is wrong, and do what we can about it.

I ask the Minister to be very clear, if he can, that such a measure will be introduced, as the ivory trade ban is being introduced today. As I said, it would be nice if a ban on fur imports were part of a wider animal welfare Bill, and certainly part of a wider strategy, but I will accept that, if he says that in due course the Government will introduce a Bill to ban imports, that is a tangible thing to get from today’s debate.

It is important that we send the message loudly to the rest of the world—perhaps more clearly than we did last time, when we banned it within our own borders—that we see the sale of animal fur as an unacceptable trade that should be dealt with at an international level, and that we will deal with it in this country not only by tackling our domestic business, but by banning imports. People will then be under no illusions: the fur trade is wrong and should be abolished.

6.14 pm

The Minister for Agriculture, Fisheries and Food (George Eustice): It is a pleasure to serve under your Chairmanship, Mr Davies. I congratulate the hon. Member for Cambridge (Daniel Zeichner) on the way in which he introduced the debate. This is an emotive topic, which I know the public care about deeply. As hon. Members have pointed out, more than 109,000 people have signed the petition, so it is right that we have a long debate today to explore the issues in more detail.

The UK prides itself on being a world leader in animal welfare standards and, as hon. Members have also pointed out, this is a cross-party approach. Governments of all colours have advanced the case for improving animal welfare and tackling animal cruelty. We are at the forefront of international efforts to protect the interests of animals. For example, as hon. Members
have said, we recently announced proposals to ban the sale of ivory to help to bring an end to elephant poaching. That Bill will start its passage through Parliament this evening, and I am sure that it will have universal support from all Members at today’s debate.

Maria Eagle: Does the Minister accept that it is not possible to improve the welfare of animals that are being farmed for their fur?

George Eustice: I was going to come on to that point, because I am aware that the hon. Lady introduced a private Member’s Bill on this subject. She recalled earlier how a number of Buck Benchers frustrated her Bill. She joins an illustrious list of people before her and since who have had their private Members’ Bills frustrated. As a general rule, I find that if the Government do not support a private Member’s Bill, Buck Benchers support it, and vice versa. It is one of those Catch-22s that we have to live with.

The hon. Lady correctly pointed out that the Farm Animal Welfare Council—now the Farm Animal Welfare Committee—did a piece of work on fur farming. It looked specifically at two species, mink and arctic fox, and concluded that because they are wild animals it was unable to come up with an industry code of practice to enable those two species to be farmed in a way that was conducive to their welfare. On that basis it recommended, and the Government accepted, a move towards a ban on fur farming. It is important to recognise, though, that—for reasons that I will come on to later—the then Labour Government introduced that ban but stopped short of a ban on trade in fur. Instead, they introduced a fur farming ban, which is far easier to achieve.

However, the hon. Lady put her finger on an important point—the difficulty of farming animals, and wild ones in particular, in a way that is conducive to their welfare. That point was made powerfully by a number of hon. Members, including my hon. Friend the Members for Clacton (Giles Watling), for Morley and Outwood (Andrea Jenkyns) and for Ayr, Carrick and Cumnock (Bill Grant), and the hon. Member for Bristol East (Kerry McCarthy). My hon. Friend the Member for North Dorset (Simon Hoare) talked about the ethical difficulty of these issues.

The Government have supported higher animal welfare standards worldwide as the best way of phasing out cruel and inhumane farming and trapping practices that are banned here. Once the UK retakes its independent seat on international bodies, such as the convention on international trade in endangered species of wild fauna and flora and the World Organisation for Animal Health, we will have an opportunity to promote the British view on animal welfare in such international forums, and to support improved animal welfare standards internationally.

In the meantime, there are some EU provisions that the UK has always supported—indeed, in many cases the UK argued for them. First, there are regulations that include a blanket ban on the importing of furs from a number of animals, including cats and dogs, as well as seal skins and products from commercial hunts. Secondly, there are EU regulations that ensure that any fur that can be imported into the UK from the EU comes from animals that have been kept, trapped and killed humanely, as defined by EU regulations. Fur production is allowed in some other EU member states, and EU directive 98/58/EC applies animal welfare standards to farmed animal production, including animals farmed for fur. EU regulation 1099/2009 applies requirements to protect the welfare of fur animals at the time of killing. Those regulations are audited by the European Commission.

Humane Society International figures suggest that about 85% of fur imported into the UK comes from farmed species such as mink, arctic fox, racoon, dog and rabbit, with the remainder coming from trapped wild species. The EU does not allow imports of fur from wild animals caught by unacceptable trapping practices. EU regulation 3254/91 relates to fur from 13 animal species, and requires certification, including from third countries, that animals were trapped in the right way.

All of those EU regulations pertaining to trade from third countries and the standards we require will come across into UK law through the European Union (Withdrawal) Bill, which is currently making its way through Parliament. I will return to the issue of additional trade restrictions in the WTO and the EU, which a number of hon. Members raised, but first I want to dwell on some of the other restrictions that we support.

In addition to the EU regulations, CITES controls fur from endangered species. For example, export permits and commercial use certificates strictly control the import of fur from endangered species. Those controls are implemented in the UK by the wildlife trade regulations. Her Majesty’s Revenue and Customs is responsible for processing import declarations and granting customs clearance for regulated goods, and Border Force works to ensure anti-smuggling controls intercept any illegal products. Although there were no seizures last year, 19 consignments were checked because it was considered that they might have some irregularities in their paperwork.

There are legal frameworks for the farming of fur animals in some non-EU countries, including minimum standards and inspections of welfare conditions. However, there are of course no EU or UK checks on farming conditions in those third countries.

Simon Hoare: We will all have heard what the Minister said about the international treaties and our ability to make the case that many of us have talked about, but does he accept that, notwithstanding the prevailing regulations and those that might come in the future, we would prefer to live in a world in which those regulations are not required because the trade has ceased?

George Eustice: I understand my hon. Friend’s point, and I was going to return to the issue of trade. The point is that it is not possible to make a difference just through the restriction on trade to the UK, because we represent a tiny portion—about 0.25%—of the entire global market. We would probably be more effective agitating for change through international forums such as the World Organisation for Animal Health, CITES and others to get improvements and further restrictions, and to encourage other countries to adopt the sorts of measures we have adopted. The Government recognise that some consumers do not wish to purchase fur on ethical grounds. As a consumer protection measure, there are laws about the legal fur trade to ensure consumers can obtain sufficient information about whether a product is composed wholly or partly of fur so they can make an informed choice.
I recognise, as several hon. Members pointed out—including my hon. Friend the Member for Crawley (Henry Smith)—that concerns have been expressed recently that real fur is being passed off as fake fur, especially in low-cost items. That is the subject of an inquiry by the Environment, Food and Rural Affairs Committee, to which my noble Friend Lord Gardiner gave evidence. The hon. Member for Bristol East cast aspersions on Lord Gardiner’s knowledge of these issues, but I believe he has looked at them in depth and understands them well.

Kerry McCarthy: I did not mention Lord Gardiner.

George Eustice: I am sorry; I would like to correct that. I misremembered who made that point—it was the hon. Member for Garston and Halewood (Maria Eagle). I assure hon. Members that my noble Friend Lord Gardiner has looked at these issues in great detail and, I believe, has a deep understanding of them.

The hon. Member for Cambridge asked about levels of trade. Various figures have been mentioned. I am told that, in 2017, we imported £63 million-worth of fur and articles with fur, and exported £33 million-worth of fur and articles with fur, which suggests that about £30 million-worth of those imports was for UK use.

Let me turn to some of the points made by hon. Members. The hon. Gentleman talked about WTO rules, and I broadly agree with him. I have argued many times in this Chamber that nothing in the WTO rules precludes us from taking stances on ethical grounds and from advancing animal welfare. As he pointed out, an important test case relating to seal fur and seal skins was upheld. It is not perfectly straightforward—the WTO has not upheld other cases—but there is case law that allows individual national Governments to advance such measures on ethical grounds, particularly relating to animal welfare.

It is a little more complicated when it comes to the European Union, because where there are EU harmonising measures relevant to the movement of fur—including the EU animal by-product regulations—any limitation of where such products can be sold and any national restriction would need to meet the requirement of article 114 of the treaty on the functioning of the European Union. That would require us to have the consent of other countries or cede the final decision to the European Commission. It is a complex picture, but, for political reasons, it is unlikely that we would be able to advance that while we are in the EU. I suspect that is why the previous Labour Government, when they introduced the ban on fur farming, stopped short of trying to introduce a restriction on trade.

My hon. Friend the Member for Morley and Outwood made a very important point about the saliency of this issue to the public. I agree and concur with that completely. The lion’s share of the correspondence coming into DEFRA relates to animal welfare. This really does matter. I was not aware that we had ever blamed the European Union for not introducing a ban on wild animals in circuses—indeed, that has been Government policy for a couple of years now. We are committed to introducing that Bill.

My hon. Friend the Member for North Dorset talked about our ability to use soft power. I agree with much of what he said on that issue but, as I pointed out earlier, I believe we will be more effective if we advance that soft power through forums such as the World Organisation for Animal Health, CITES and others in order to get a wider uptake of the types of bans and restrictions that we have in place here in the UK.

There have been many thoughtful contributions to this important debate, including from hon. Members who have been campaigning on the issue for many years. I again congratulate the hon. Member for Cambridge on introducing the debate, and all hon. Members on their contributions.

Daniel Zeichner: It has been a good debate and there have been many thoughtful contributions from all sides.

I joined the Petitions Committee only recently, and this is the first time I have introduced a debate. It is a testimony to the power of the e-petitions process that so many people got engaged, signed the petition and are watching us today. My worry is that they will think that all we have had is a debate. That is the challenge for the Minister to go away to think about.

We have had a discussion with excellent contributions. The one made by my hon. Friend the Member for Garston and Halewood (Maria Eagle) was particularly telling. She started on this process many years ago and summarised the debate with passion, saying that, in effect, there is no such things as humane fur farming. There is the question of whether a ban can be made while we are members of the European Union but, in my limited experience of this place, one thing that I have noticed is that what we can do often depends on whom we ask and how much we want to do it. That is the real question.

We have heard from every single political party in the House—from Conservative and Labour Members, Liberal Democrats and the Scottish National party—and there is almost unanimity. One of the great Presidents of America, Lyndon Baines Johnson, famously said that politics was about counting the votes. I have been counting the votes and—I am looking at the Government Benches—some Members have self-declared already, tonight. This House has the votes. What it needs is a Government willing to introduce a ban. That is what the public expect.

I hope the Minister will go back to the Secretary of State with the very strong message from this House that it is time we banned the fur trade.

Question put and agreed to.

Resolved,

That this House has considered e-petition 200888 relating to the sale of animal fur in the UK.

Sitting adjourned.
Westminster Hall

Tuesday 5 June 2018

[MIKE GAPES in the Chair]

Polish Anti-defamation Law

9.30 am

Alex Sobel (Leeds North West) (Lab/Co-op): I beg to move,

That this House has considered Polish anti-defamation law.

It is a pleasure to serve under your chairship, Mr Gapes. I am pleased that the Backbench Business Committee has given time to this sensitive and difficult subject. I was going to raise it in the general debate on anti-Semitism in the Chamber on 17 April, but unfortunately I was not called, and I felt the issue needed a full airing.

This debate takes place in the context of the fact that the Polish President signed the Bill into law while also referring it to the Polish constitutional tribunal for review. I am pleased that the Polish prosecutor general has issued a legal opinion stating that in part the law is unconstitutional, and I look forward to the tribunal’s ruling, which should come any day now.

It is only appropriate to start this debate by paying tribute to the thousands of Poles who helped the Jews during the second world war and fought alongside allied soldiers, in the Polish free army. The righteous among the nations are a group of non-Jewish people who have been recognised for their great sacrifices and bravery in helping Jewish people during the holocaust. The title is awarded by Yad Vashem, the World Holocaust Remembrance Centre, and Poles constitute the largest national group of the righteous, with 6,706 people listed. We must remember that the punishment awaiting those who provided any kind of help to Jews was death for them and their entire family. At liberation, around 50,000 Jewish survivors were on Polish soil. It is estimated that about 30,000 to 35,000 Jews, only about 10% of Poland’s Jews, survived, and around 1% of all Polish Jewry was saved with the help of Poles and thanks to the devotion of the righteous among the nations.

I will start by paying tribute to a few of those Poles listed at Yad Vashem. First, I pay tribute to Jan and Anna Puchalski and their children, Irena, Krystyna and Sabina. They were a poor Polish family with five children, living in a tiny house. Jan supported his family on his small salary from working in a tobacco factory. On 13 February 1943, a Jewish family of four, who sometimes stayed in the area during the summer, and two other people, turned up at their door, having escaped a Nazi raid on the ghetto. Despite their lack of resources, the Puchalskis hid five Jews in a shelter under their floorboards for 17 months.

Secondly, I pay tribute to Jan and Antonina Zabinski. In the 1930s, the Warsaw zoo was one of the largest in Europe. When the war broke out, part of the zoo was bombed and many of the animals were taken to Germany. The zoo’s director, Dr Jan Zabinski, was allowed to visit the ghettos because he was an employee of the Warsaw municipality. Using the excuse that he was going to tend some trees in a small public garden in the ghetto, he visited his Jewish friends to offer them help. As the situation worsened, he offered them shelter in his zoo. Around a dozen Jews lived in the couple’s home, with others staying in former animal enclosures around the park. He also helped them to get documentation and find accommodation elsewhere. The couple’s story was turned into a film, “The Zookeeper’s Wife”, just last year.

Thirdly, I pay tribute to Leopold and Magdalena Socha. Leopold Socha was a sewer maintenance worker in Lwow. When the Nazis occupied Poland, Leopold witnessed the suffering of the Jewish people and decided he was going to try to rescue at least 20 Jews from the ghetto. He enlisted the help of his co-worker Stefan Wroblewski. Together, they hid 21 Jewish people in the sewers. Initially the Jews paid Socha and Wroblewski, but as they ran out of money, Socha and his wife provided for them. They stayed in terrible conditions in the sewers for 13 months. Sadly, only 10 of the group survived until the liberation of Lwow. Leopold also saved the life of my great-uncle, Yehuda Mildiner. I pay tribute to Leopold and the 6,706 righteous who did so much for families like mine.

Poland was the only occupied country to set up a committee to aid Jews, Zegota, which provided food, shelter, medical care, money and false documents to Jews. Most of Zegota’s funds came directly from the Polish Government in exile here in Britain. In particular, the children’s section of Zegota, led by Irena Sendler, saved 2,500 Jewish children with the co-operation of Polish families, the Warsaw orphanage of the Sisters of the Family of Mary and Roman Catholic convents. Polish forces also gave exemplary service to the allied effort in the battle of Britain, the battle of the Atlantic, the north African campaign, particularly the battle of Tobruk, the Italian campaign, including the capture of the monastery hill at the battle of Monte Cassino, and the French campaign. We all have much to thank the people of Poland for, securing the freedoms we value today.

However, I return to the law passed on 26 January by the Polish Parliament and signed into law by the Polish President in early February. The fact that the President referred the law to the constitutional tribunal for review has not stopped the first case being brought. If nothing else, the nature of this case needs to make us stop and think about the nature of the law and its potentially far-reaching consequences, not just in Poland but globally.

The case was brought on 2 March 2018 against the Argentine newspaper Página/12 by the Polish League Against Defamation. The lawsuit focuses specifically on a photograph that accompanied an article about the 1941 massacre of Jews in the Polish village of Jedwabne. The Polish League Against Defamation claims that Página/12 was being “manipulative”, as the image is of four Polish anti-communist fighters in 1950, while the article is about the 1941 pogrom while Poland was under Nazi occupation, and that by linking the two events the publication was “harming...the reputation of Polish soldiers”, and trying to make Poland appear anti-Semitic. Página/12 has changed the photo of the partisans to that of a monument in Jedwabne vandalised with a drawing of a swastika, a proportionate response to what was clearly an error by the newspaper.
The lawsuit was brought by the right-wing nationalist Polish League Against Defamation, an independent organisation formed out of the Patriotic Society Foundation. Although the article was published in December, before the law took effect, and may not be admissible, it clearly shows the dangers the law could pose. The Argentine Government agrees, stating:

“No law can limit, condemn or prevent freedom of expression or limit research”.

Even more concerning is the reaction of the Polish Government. The deputy Justice Minister expressed his hope that the Página/12 case would go to court, saying:

“If the court decides the complaint is admissible—and it should do so—then there will be a court case.”

In 2012, Barack Obama used the phrase “Polish death camp” during a Medal of Freedom ceremony for Jan Karski. He was clearly referring to a Nazi death camp in Poland, and the White House press secretary clarified that he had misspoken after Donald Tusk, then the Polish Prime Minister, complained about his use of the phrase. Will President Obama now face a lawsuit under the law? There is a much bigger picture here.

My fears have already been realised, as can be seen from the actions of thousands of individuals against the Auschwitz-Birkenau Memorial and Museum. The staff were subjected to a wave of, in their own words, “hate, fake news and manipulations”.

The brother of Piotr Cywiński, the museum's director, posted on Facebook criticising the “50 days of incessant hatred” targeted at his brother. He said:

“For 12 long years he’s worked in one of the most terrible places in the world, in an office with a view of gallows and a crematorium. Dozens of articles on dodgy websites, hundreds of Twitter accounts, thousands of similar tweets, profanities, memes, threats, slanders, denunciations. It’s enough to make you sick.”

All this came after the law was passed.

Protesters have also been targeting the museum’s guides. They claim that the guides are trained to promote “foreign narratives” and that only Polish people should be allowed to work as museum guides. Videos of protesters, including convicted anti-Semite and local politician Piotr Rybak, harassing guides during the tours have been posted online. In March, the home of an Italian guide was vandalised with graffiti on his door that said “Poland for the Poles” and graffiti equating the Star of David with a Nazi swastika, with “Auschwitz for Poland guides!” daubed on an adjoining wall. To think it is acceptable to abuse those working to keep alive the memory of one of humanity’s most horrific death factories—a machine of genocide operated by Nazis—is, to me, beyond comprehension.

After my letter to the Foreign Secretary and after applying for the debate, I have not been immune from such abuse, giving me first-hand experience. As well as posting abuse on Twitter and in the comments sections of websites, people have taken to emailing my parliamentary email address. I will read one example. I apologise in advance for its language and its anti-Semitism, which is some of the worst I have ever seen. I want to be very clear that I am quoting; these are not my words. It says:

“You Talmudic piece of shit...F**k off—leave Poland alone. Keep your Talmudic noses out of Polish affairs, Satan’s Brood. The Synagogue of Satan will go down in flames”.

Another email had pages and pages of graphically anti-Semitic images. On Twitter, I received this comment:

“People like you are the very reason we have the need for this legislation. Jewish Amnesia Syndrome is back. Denying there were Jewish perpetrators is after all denying one Holocaust Narrative.”

Another said:

“Of course this guy is not antisemitic”— I thank them for that—

“he is a Jew and takes a profit from his MP status for lobbying against Poland and support the state of Israel which obviously needs new financial sources”.

Another said:

“Sobel is a member of the lobby. A liar, fake news spreading provocateur insulting 6 Million Polish victims murdered by Nazi Germany”.

One account now suspended by Twitter sent me 10 tweets accusing me of being in a worldwide conspiracy and on George Soros’s payroll, and saying that I should be banned from Poland, as well as including a homophobic insult.

If the Polish Government’s intention is for the law to minimise the false reporting of the holocaust and minimise anti-Semitic feeling, the exact opposite has been the result. I am sure that, as I speak, people are taking to their keyboards to send me more hate. I will not be able to press refresh on my Twitter account today, as it will just be filled with abuse.

Daniel Kawczynski (Shrewsbury and Atcham) (Con):

I am very sorry that the hon. Gentleman has received those comments. Unfortunately, all Members suffer vile abuse on Twitter, as I am sure he will recognise. There are crackpots in every society. Has he managed to speak to the Polish ambassador, or to visit Poland during the course of this year, to get a first-hand account of the situation on the ground there? A lot of misinformation on this subject is coming out of the country.

Alex Sobel: I intend to visit Poland later in the year, but I have not managed to yet. The Polish ambassador invited me for a meeting, but I did not arrive into London until quite late yesterday, so I responded that I will meet him after the debate. I have not been able to meet him, but I intend to. I understand that there are lots of different views, but I think the evidence is quite clear that the passing of this law has given an acceptability to things that were not acceptable before. It is about the consequences of the law and the atmosphere that it has created. People of Polish-Jewish descent and people from Poland have told me about their fears as a result of the law.

To conclude, I thank the Minister for Europe and the Americas for his letter, dated 8 May, in which he stated that the issue has been raised by the Foreign Secretary with his Polish counterpart at two meetings. He referred the issue to Eric Pickles, as the UK’s special envoy on the holocaust. Although I welcome Sir Eric Pickles’s involvement, I think this is a matter for the Foreign and Commonwealth Office to take up, rather than leaving it to a special envoy with a limited role. I ask the Minister
and the Foreign Secretary to take the matter up with the EU through all the meetings and institutions that they attend and their colleagues will attend, including the Council of Ministers, and to report back to the House on the results of those discussions.

I know that a number of Members are members of the Council of Europe, and I know that this issue has been raised there. I hope that they keep looking at ways to engage with Polish colleagues and gain support for the law to be dropped.

9.44 am

Daniel Kawczynski (Shrewsbury and Atcham) (Con): It is a pleasure to serve under your chairmanship, Mr Gapes. I rise as the chairman of the all-party parliamentary group on Poland and as the first ever Polish-born British Member of Parliament.

The hon. Member for Leeds North West (Alex Sobel) alluded to the terrible suffering of Polish people who helped their Jewish neighbours and friends. I will start by giving a very personal account of what happened to my family. Jan Kawczynski, the brother of my grandfather, knew, as has been alluded to, that Poland was the only country in occupied Europe where helping Jewish people carried the death penalty, but he took that risk anyway. For those of us here who are fathers, I argue that it takes an exceptional man to put at risk the lives of his daughter and his wife. He took that risk, and he hid various Jewish friends and neighbours on his estate in western Poland.

He was coming back home to his farm one day when his neighbour stopped him and said not to go back because he would be walking back to his death. The Germans had realised something was afoot and had surrounded the farm. He said he had to go back because his daughter and wife were there. When he went back, the Germans first made him take off his officer’s boots. They then made him dig a grave, informing him that they would shoot his daughter and his wife, and then they made him watch as they shot his 12-year-old daughter and then his wife. Then they shot him.

I have never spoken about that in the House, although I have been a Member for 13 years, but a lot of emotion has already been expressed in the debate, and I hope hon. Members will realise from what I have said just how strongly I feel about this situation. I am grateful and pleased that I can pay tribute to Jan Kawczynski for the sacrifices that he made to do the right thing—to help his Jewish friends and neighbours.

Last year, I went to the zoo that the hon. Member for Ealing North (Stephen Pound) and I have just returned from Minsk; we were part of a parliamentary delegation to Belarus. Of course Belarus, as we found out in the course of our visit, suffered enormously from similar types of brutality against Jewish people by the occupying German forces. I had the honour and pleasure of going round the museum of the second world war in Minsk with the hon. Gentleman, and we saw at first hand evidence of the appalling brutality and death meted out to Jews in Belarus by German forces. The guide repeatedly referred to Nazis, as if this was some sort of third entity descended from outer space—some unknown factor of people. They were German soldiers under the instruction of the German Government, the German dictator.

Germans invaded and persecuted Poles and Jews and killed millions. I want to say also that, as the Polish Prime Minister said very eloquently, “Arbeit macht frei” is not a Polish expression. Let us remember those sinister words at the entrance to the death camps: “Arbeit macht frei”. It still sends a chill down my spine when I read out those words, as I am sure it does to everybody in the Chamber. When I hear the words “Arbeit macht frei”, I think of the suffering and misery among the nations for all the suffering that they went through in helping their Jewish friends and neighbours, as was recognised by the state of Israel.

Poland has great concern about the international media’s lack of care as to what happened in world war two. Poland was invaded in 1939 and brutalised by its German occupiers; 6 million people were slaughtered. Warsaw, the city of my birth, was completely destroyed, with 98% of the city flattened in 1944 by Adolf Hitler’s forces as punishment after the Warsaw uprising.

The United Kingdom suffered greatly during the second world war, and we made terrible sacrifices as well, but Poland uniquely suffered the abject brutality of the German invasion. Tensions and emotions still run high as a result of what happened at that time. Of course, being trapped behind the iron curtain after the second world war with an illegitimate Communist regime who tried to distort history through school rooms did not allow Polish society to discuss and debate these issues properly.

I hope that the BBC picks up on this point again, because I have a thick file of my correspondence with the BBC—the British Broadcasting Corporation—in relation to my numerous complaints to it about its misrepresentation of the situation in Poland during the second world war. I have to say that the BBC, which sells itself as a paragon of virtue and enlightened journalism, and with all the resources that it gets from the British taxpayer, should know better. I have counted many occasions when the BBC has referred to “Polish death camps”. Think to yourselves for a moment how you would feel as a Pole about a reference to something as a “Polish death camp”. There is no such thing as a Polish death camp. They were concentration camps set up by Germans in German-occupied Poland; they were run by Germans, maintained by Germans and initiated by Germans. Let us get that straight. However, despite my numerous requests to the BBC to show a little sensitivity and understanding on this issue, it continues to refer to those things as “Polish death camps”.

The narrative has moved on and there are constant references to Nazis doing these things. The hon. Member for Ealing North (Stephen Pound) and I have just returned from Minsk; we were part of a parliamentary delegation to Belarus. Of course Belarus, as we found out in the course of our visit, suffered enormously from similar types of brutality against Jewish people by the occupying German forces. I had the honour and pleasure of going round the museum of the second world war in Minsk with the hon. Gentleman, and we saw at first hand evidence of the appalling brutality and death meted out to Jews in Belarus by German forces. The guide repeatedly referred to Nazis, as if this was some sort of third entity descended from outer space—some unknown factor of people. They were German soldiers under the instruction of the German Government, the German dictator.

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that those poor defenceless people went through. But “Arbeit macht frei”, as everybody here knows, is a German phrase.

We need to work together. I say to the hon. Member for Leeds North West that I have every sympathy for him. As I listened to him, the emotion and sincerity with which he spoke impressed me greatly. The all-party parliamentary group on Poland has a visit to Poland coming up in July. It will involve nine Members of Parliament. I very much hope that the hon. Member for Leeds North West might join us on that group. We are making a three-day visit to Poland, where we will be meeting Ministers and many others—media outlets and all sorts of civil society organisations. I very much hope that he will join us on that and that he will take the time to meet members of the Polish diaspora in the United Kingdom with me. One million Poles now live in this country. We have many events for the Polish community here in the House of Commons. Despite the hon. Gentleman’s concerns, I very much hope that he will give them the opportunity of giving their side of this very sad story.

I am conscious that other hon. Members wish to speak, but let me make just a couple of additional points. Paragraph 3 of article 55a of the law under discussion specifically ensures that scientific publication or research and artistic activity are exempt from the legislation. The law is not designed to protect individuals who were involved in crimes against Jews. As I have said, it is designed to ensure that Poland’s reputation is protected and to recognise the suffering of Poles who helped Jewish friends. That is very important to remember.

The Polish Prime Minister, Mr Morawiecki, and the Israeli Prime Minister, Benjamin Netanyahu, have met on several occasions to discuss this issue, and a commission has been established to discuss how the two countries can go forward to ensure that it is resolved amicably and satisfactorily for both sides.

Mr Gregory Campbell (East Londonderry) (DUP): The hon. Gentleman has talked about forthcoming meetings. Does he agree that there needs to be clarity and certainty about what happened in the past and that what is currently happening in terms of anti-Semitic behaviour across the globe but particularly in western Europe needs to be highlighted? We need to get more information so that people can eliminate the perceptions and the paranoia that sometimes exist when talking about both Israel and Jewish activity; others seem to want to believe that there is a worldwide conspiracy, and the reality and the truth must be brought to bear on that perception.

Daniel Kawczynski: Absolutely. I am grateful to the hon. Gentleman for that intervention. There is a huge lack of information about what happened during the second world war. I saw yesterday some shocking figures about young people in the United States of America: many of them do not even know what the holocaust was. That is extraordinary when we consider that in my grandparents’ generation, millions of people were killed under fascism—purely because of their religion or background. In that sense, this debate is very important, and it is important that we continue to have these debates, because we have to keep re-educating the next generation on the barbarity and brutality of what happened and, of course, warning them—teaching them the lessons of what happened before. We must never allow a situation to occur in which people are discriminated against because of their religion or background—but we see it happening again. We see the rise of anti-Semitism in certain countries, which is breathtaking. We see the rise of far-right parties in certain European countries. I believe that in Austria now, a rabidly right-wing party is part of the coalition. That is extraordinary. One would have thought that Austria, of all countries, would have recognised and remembered the appalling difficulties created by voting for excessively right-wing people.

The law that we are discussing has been referred to the constitutional tribunal by the President of Poland, as the hon. Member for Leeds North West said, and we look forward to the outcome of that.

I am very proud to be the first ever Polish-born British Member of Parliament. Our bilateral relations with Poland are getting better and better. It is an incredibly important NATO partner of ours, and in the post-Brexit world we need to utilise and harness the million Poles living in our country to improve understanding between our two countries, increase trade and increase bilateral co-operation. I very much look forward to working with the hon. Member for Leeds North West in the coming weeks and months to ensure that he and his colleagues get a first-hand opportunity to engage with our Polish friends and allies on this very difficult subject.

9.57 am

Stephen Pound (Ealing North) (Lab): Politicians nowadays are often accused of being bland, anonymous, anodyne figures. It is on an occasion such as this that we realise that we have here, in our Parliament, people with a unique range of references, sources, backgrounds and histories. I deeply respect the hon. Member for Shrewsbury and Atcham (Daniel Kawczynski) and his background, his family connection and his blood tie. However, the speech from my hon. Friend the Member for Leeds North West (Alex Sobel) was quite simply one of the most impressive that I have heard in Westminster Hall. He spoke from the heart; he spoke with absolute passion and with truth; and no one who heard him could be unmoved by his comments. Regrettably, having said that, I have to come to a conclusion that is completely opposite to the one that he has reached.

The Act submitted to the Sejm on 26 January 2018 was not intended, nor can it be seen, as an act of anti-Semitism. It is an Act specifically to address a concern that is viscerally agonising for the Polish people—the constant repetition of that inaccurate, brutal, cruel phrase “Polish death camps” or “Polish extermination camps”. That was the reason for the legislation. The fact that it has been referred to the constitutional committee suggests to me that it might have been, in certain circumstances, appropriate for us to have delayed this debate.

Having listened to my hon. Friend the Member for Leeds North West, however, I entirely understand why he felt it necessary to bring this to this House, even while that process is in play. I also have no doubt that I speak for every person inside and outside this Chamber in expressing our deepest sympathy to him for
the foul, vile, scatological filth that he has suffered. Sadly, it is not unique, but there certainly seems to be a particular strand and trend, which is deeply regrettable. I would not say that this is indicative of attitudes in Poland. Of course there are Polish anti-Semites—no one could pretend otherwise—but to say that these comments are somehow reflective of all Poles, and that this issue is about the Polish League Against Defamation or various other groups, is to give them more strength and power than they actually deserve.

This process was not sought by the Polish Government or the Sejm. It was a reaction to a circumstance that seemed to be gathering in pressure and strength. Many are concerned, as my hon. Friend implied, that this legitimises and opens the door to anti-Semitism. In Poland, however, exactly the opposite applied. It was felt that the constant reference to Polish death camps opened the door to something even worse—revisionism, an attack on Polish history and an assault on the contributions that the Poles made.

Let us never forget that there was no Polish Pétain or Quisling. If we want to see the Poles in the second world war, we need to look to General Bór-Komorowski, the people who fought with the Warsaw rising and the people in the Government in exile who introduced the death penalty for confiscating, stealing or abusing Jewish people or their property. There was no anti-Semitism in the structural sense. Of course there were, inevitably, such individuals. I have them in my constituency, Mr Gapes, and I am sure you have them in yours.

The Polish Government introduced this legislation as a response to a gathering storm throughout the world. I am disappointed that the reaction of the current Israeli Government has been unusual in its strength. The Israeli ambassador to Poland, Anna Azari, was involved right from the beginning in these discussions with the Government in Poland, the Sejm and the committee that structured and drafted this.

Article 55a, paragraph 3 was specifically introduced into the legislation to avoid any accusation that this legislation would close down debate, because there were some people who felt that this legislation, unamended, would not allow scientific analysis. It is said that only the future is certain; the past is always changing. Well, we are not afraid of the past. This amendment was brought in specifically to exclude not just scientific and academic research, but artistic research, to avoid any accusation that this matter was being closed down. We have to respect and understand that.

The hon. Member for Shrewsbury and Atcham mentioned the discussions that took place between the two Prime Ministers, Mateusz Morawiecki and Benjamin Netanyahu. I think that is a positive sign. We see too much, in this place and on this planet, of people striking postures, beating their chest and issuing absurd Twitter comments in the middle of the night. I mention no names and I point no fingers—even if it was with a very little hand. There are those people, however, who think that we need to discuss and debate these issues. The two Prime Ministers are the appropriate people.

Daniel Kawczynski: The hon. Gentleman is, as usual, making an eloquent speech. At all these award ceremonies where Poles are recognised for helping Jews—certainly at the one I attended—the Polish Prime Minister, Mr Morawiecki, is present, as is the head of the Law and Justice party, Prezes Kaczyński. They want to send a strong message about the strength of feeling among the Polish state about reconciliation and harmony between Poles and Jews.

Stephen Pound: I am grateful to the hon. Gentleman, who speaks with authority on these matters. He and I have stood together at the Katyn memorial. We have spoken at many of these occasions. We have been at RAF Northolt on the day on which, every year, we recognise the heroic contribution of the 303 Squadron—the most successful fighter squadron in the Royal Air Force—when the bonds between our two countries were forged in blood. He knows, as I know, the depth of the contribution that the Polish people have made. I am not Polish. I do not have a drop of Polish blood. I lack that honour. When I hear this expression about Polish death camps, however, I feel for Poland and I weep for the Polish people.

Look at what is happening nowadays in Warszawa and Kraków. There is a holocaust memorial museum and the complete rebuilding of the ghetto, where there are Jewish restaurants and a whole Jewish quarter. In fact, they do not use the word ghetto any more, which is probably just as well. South of Kraków, at Auschwitz-Birkenau, the air falls still. In the forest there is no birdsong. Something so terrible happened there that the weight of history still presses down on those people who approach it. Something has sucked the energy out of the air. Visitors pass beneath that awful sign, which the hon. Gentleman referred to.

I hope that no one in the world thinks for a second that this was anything other than the planned, industrial and mechanised extermination of a people by the Nazis—not by the Poles. There may have been some Ukrainians who worked in the death camps. We know that. The legislation that went through in January specifically refers to the Ukrainian actions in this particular area. That is not to imply, however, even for a passing second, that the Polish people were complicit in, supportive of, involved in or responsible for that appalling crime—that spreading stain of agony that still disfigures our history, and that marks and shapes our future as it so brutalised our past.

Mrs Louise Ellman (Liverpool, Riverside) (Lab/Co-op): I accept some of what my hon. Friend is saying. Does he agree that, while it is certainly untrue that the Nazi extermination camps were in any way Polish death camps, there are still graphic examples of Polish complicity in the atrocities that took place against Jewish people in Poland at that time?

Stephen Pound: I acknowledge the expertise of my hon. Friend, but I would need to see the evidence for what she says. I would also need to understand and be educated as to the realities of life under occupation—the second occupation, because Poland was occupied twice—and what it must have been like in those days. I am not aware of Polish complicity in Auschwitz-Birkenau, but I will not say that I know everything about the subject and I am more than happy to speak to my colleague. I do know for certain that to try to tar the whole of the Polish nation with the brush of anti-Semitism on the basis of a few lunatics, a few foul anti-Semites and some obscene Twitter users is unfair, wrong, painful and hurtful to the Polish people.
The hon. Member for Shrewsbury and Atcham referred to Polish heroism. We do not have enough time—there would not be enough time in Parliament—to list all the Polish heroes: Poniatowski, Dąbrowski, Kościuszko, Piłsudski and on and on. We know about Polish courage. I would like to bring the Chamber to a place that you know, Mr Gapes, as does the hon. Gentleman: the village of Cassino, south of Rome, which was occupied for the whole of the second world war up until 1944 by German Panzer battalions and airborne troops. It was finally captured by the Poles. There, in the shadow of the monastery of Monte Cassino, which has been referred to, there is a Polish cemetery.

All the allies, including those from Ireland, Australia, South Africa and so many other countries who fought there—even a Maori regiment from New Zealand—have their cemetery. There is something exceptional and special about the Polish cemetery. I am referring not to the grave of General Anders at the front, but to the grave markers. There are three types of grave markers in the Polish cemetery of Monte Cassino. There is the Suppedaneum cross, which is the sign of the Serbian or Russian Orthodox Church. There is the ordinary cross, which we Roman Catholics simply see as the cross. The third grave marker is the star of David. A section of the Polish war memorial—the Polish cemetery—at Monte Cassino is proudly and unashamedly dedicated to the Jewish soldiers who fought with General Anders, who fought from the camps in Siberia, who walked across Iran, who fought in El Alamein, in Libya and in the invasion of Sicily and who fought their way up the spine of Italy. Although those Jewish soldiers were cruelly betrayed by the allies—forgive me for saying so—after their huge contribution, and there was not to be a free Poland in 1945, the army recognised, cherished and valued the contribution of the Jewish soldiers who fought with them.

Would those Jewish soldiers have fought with an anti-Semitic army? Would they have fought with General Anders if they had felt that there was a strand of anti-Semitism running through the army? Sometimes silent witness is more powerful than the vocal and the verbal. To see those stars of David in the Polish cemetery tells me that Poland protected, defended and respected its Jewish population, and it will continue to do so.

This legislation is a reaction to misinformation. It does not in any way open a door to anti-Semitism. I profoundly hope that the constitutional tribunal will clarify the situation. Whatever happens, every one of us is better informed and possibly emotionally stirred by the extraordinary, unique and priceless contribution of my good friend, my hon. Friend the Member for Leeds North West.

10.11 am

John Mann (Bassetlaw) (Lab): We can learn a lot from cemeteries. When I visited eastern Poland with a Jewish family to look at their historical roots there, we visited the Jewish cemetery. It was not in a particularly good state—I do not think anybody had visited it for many decades—but what struck me was how big it was, because the village had been largely Jewish.

I had research done into that family’s history, and I got photographs that showed the village. They raise the question about what happened to the properties. Three million Poles were murdered, which means 3 million properties disappeared, plus the communal buildings such as the synagogues. What happened to them? We can learn a lot from looking at cemeteries about what happened and who did or did not do what at any time.

There are plenty of people living in that village, but none of them are Jewish. That is not a surprise. There were 3 million Jewish Poles; there are now under 1,000. It is a thriving rural village, like many others in Poland, with a Jewish graveyard. People live in the same village, on the same streets, sometimes in the same properties, and certainly on the same land.

History can be interpreted in different ways. Let us be quite clear: this law has not come from nowhere, so those who have been protesting about it, such as Netanyahu, should have opened their mouths when the first such law was brought in by Hungary in 2010. That law criminalised the wrong interpretation of history and came with a three-year maximum prison sentence.

As Hungary attempted to legally define its history in 2010, Lithuania did too. Its law was more generous, with only two years’ imprisonment, but at the same time, Lithuania attempted to arrest two women over the age of 90: Fania Brantsovsky and Rachel Margolis. Most people, including me, would describe them as war heroes. They fought with the resistance in the Lithuanian forest. They undoubtedly killed people, but they were fighting alongside the Soviets, who came in and eventually liberated that country as part of the war effort. In 2010, Lithuania attempted to arrest those two war heroes for being war criminals. They were fighting for the resistance—it is unambiguous; there is no argument about what happened—but they went from war heroes to war criminals, and Lithuania attempted to jail them.

In 2014, Latvia brought in a law that came with five years in prison. In different ways, Ukraine and Estonia brought in criminal laws in advance of Poland, so this legislation has not come from nowhere. In Austria, there are people who attempt to describe Mauthausen as a Polish camp. Actually, I disagree with my hon. Friend the Member for Ealing North (Stephen Pound); it is very rare to hear the Nazi death camps in Poland described as Polish, just like it is very rare to hear death camps elsewhere described as anything other than death camps by their names, but it happens and it has happened for a period of time. Why were those camps there? They were where the Jewish population was.

There were differences in Ukraine. Ukrainians took the jobs and murdered the people. That did not happen in Poland. They did not recruit Poles to do that. They did in Lithuania. They did not bother with the camps. The Lithuanians took Jewish people out into the forest and shot them to save time and money. They did not need the Germans to do it. But who were the Nazis in all that? Who were the Nazis in Lithuania? Who were the nationalists? Who was on the side of Lithuania?

As Hungary attempted to legally define its history in 2008, with the European Parliament as a conduit, a group of politicians has co-ordinated and drawn together other nationalist politicians, including from Poland, to rewrite history. That is what has been going on. The example of Lithuania, and the rest of the Baltic states, is the simplest one, and in essence it says, “We weren’t fighting for anyone, other than fighting the Communists. There was a double genocide”—that term was created at the 2008 conference. “The Nazis and the communists are...
equally bad. The communists controlled our country and did many evil things under Stalin and beyond.” That is true; that is factually the case.

I was the first person to leave Poland with a Solidarność badge in 1980—that is a different story, which I will leave for now—so I am very aware of what the Soviets and the communists did in eastern Europe, but the problem is putting together those two genocides and describing them as if they were equal and comparable. There is an academic in Latvia who has taken it further and brought in blood libel as well. The logic goes, “My grandfather did nothing wrong, because my grandfather was a patriot. He was not supporting the Nazis. He was fighting the communists. By the way, who speaks Russian? The communists. Who speaks Russian in our country? The Jews speak Russian. Rachel Margolis speaks Russian.”

Therefore, it is possible to distort history so quickly and so easily—rewrite your own history and the history for every country, including our country and our role, as the country that failed to take in Jewish migrants in the ’30s and, indeed, after the war, in the ’40s. This country turned them away. We can all rewrite our history, sanitise our role in things and glorify what we were good at—the little bits. “Oh, we had the Kindertransport here. Weren’t we brilliant?” We let a few Jews slip in. What about the rest?

Well, that is what is going on in Poland—an attempt to rewrite history—and we should not accept that. Yes, it is true that the Poles did not run those camps—that is a fact—unlike in some neighbouring countries; but we can also look at the language. I keep reading and hearing about the 3 million Jews in Poland—the 3 million Poles; the 3 million of our citizens who were Jewish, who were murdered and lost everything. It is not a surprise that there is not much of an eyewitness record there compared with anywhere else, because few survived. It is harder for the dead to be eyewitnesses.

I will end on this. When I look at what is going on now, I take the Albert Camus view of the world—to see the world through the eye of football. In Poland at the moment, if someone goes to see a football match in Łódź—once a massive Jewish community; now no Jews live in Łódź—what is the insult used in the Łódź derby? “Jew”. From one Łódź team to the other Łódź team, for both sets of fans their term of insult is “Jew”. And what happens in Kraków when Cracovia play Wisła? Do the tourists there go on the nice, sanitised route to Auschwitz-Birkenau? My advice to anyone going there is to go on the suburban route. If they do, I will tell them what they will see on every station: Wisła Kraków graffiti saying “Jews Out”.

Stephen Pound: Albert Camus was obviously a great goalkeeper, and I understand my hon. Friend’s analogy. However, I am sure that he has seen Spurs play at home as many times as I have, so he will know the insult that is used against Tottenham Hotspur players. Does he agree that that sort of language—that sort of foul anti-Semitism—should be a matter for criminal law and prosecution? It should not be perceived as indicative of a nation or even a group of football supporters.

John Mann: Of course it should be a matter for criminal law—it is in many countries—but my point is not that Poland is any worse than any other country, but that anti-Semitism remains and this law plays to that sentiment. That is the danger of the law.

I will end with a recent quotation from a radio reporter in Poland, Marcin Wolski of TVP2. What did he describe? He said, “Let’s rename the death camps. They’re not ‘Polish death camps’, they’re ‘Jewish death camps’.” He said that on Polish radio recently—because the Sonderkommando ran the death camps, we should therefore rename them “Jewish death camps”. Bring in this kind of law and that kind of racism and anti-Semitism is unleashed. But this is not something that started in Poland; it started elsewhere in eastern Europe. People have been too silent about it—about trying to use the law to rewrite history. The law is not the way to rewrite history.

10.24 am

Mrs Louise Ellman (Liverpool, Riverside) (Lab/Co-op): I congratulate my hon. Friend the Member for Leeds North West (Alex Sobel). He has raised a very important issue at a very apt time, and I agree with what he has said.

This is a time of great concern, because there is an increase in both holocaust denial and anti-Semitism right across Europe. Given that background, it is extremely concerning that legislation has been passed in a European country that could be seen as trying to stifle debate, discussion and research about the holocaust.

It is certainly true that Nazi death camps—Nazi camps of extermination—are not Polish death camps. That is clear; that is unambiguous. However, the legislation about which we are very concerned goes much wider than that and could make it illegal to discuss any Polish association with the extermination of Polish Jews. That extermination and persecution took place not only in those Nazi death camps—those Nazi camps of extermination. It also took place within Polish communities in civil society, and it is extremely wrong to try to shut down debate and knowledge about those activities.

Daniel Kawczynski: The hon. Lady says that this law is not the right way for the Polish Government to tackle this issue. However, when we bear in mind that I have been writing to the BBC for over seven years to ask it to be more sensitive about this issue, and the BBC continues to refer to “Polish death camps”, what is her advice to the Polish Government and other organisations that worry about the intransigence and lack of sensitivity of the BBC?

Mrs Ellman: I appreciate the hon. Gentleman’s concern and that of others about a description of Nazi extermination camps as “Polish death camps”—an erroneous description—but the answer to that is not to try to shut down discussion about the holocaust and its depravities.

The relationship between Jewish Poles and the wider Polish community is indeed very complex. At Yad Vashem, which I visited in Jerusalem only last week, 6,700 Polish people are recognised as righteous among the nations. They were Polish non-Jews who supported Jews in those terrible times, on many occasions risking their own lives. They are rightly recognised and honoured there.

However, there is also a lot more in that complex history to be recognised—for example, the massacre at Jedwabne in 1941, when all but six of the town’s Jewish inhabitants were set upon by their non-Jewish neighbours.
and burnt alive in a barn. That was truly horrendous, and it was not an isolated occurrence. Before the Nazi extermination began, the Jewish communities in Poland were very strong. They were majorities in significant areas of Poland, yet today there is hardly a Jew left. I have heard first-hand testimony from a relation of mine, who has now passed away but who was born and brought up in Kraków, about the shock and horror at their non-Jewish neighbours, who they had regarded as friends, turning against them in those terrible times. So the relationship is complex and the full history needs to be known.

It should be a matter of great concern that Yad Vashem itself, the Holocaust Educational Trust and some Polish historians have registered great concern about the potential impact of this legislation shutting down debate and research about what happened in Poland during the holocaust.

Stephen Pound: I bow to my hon. Friend’s experience and the depth of her knowledge of this issue. However, I have already made the point, as I believe the hon. Member for Shrewsbury and Atcham (Daniel Kawczynski) has, that paragraph 3 of article 55a of the new law specifically and explicitly allows discussion of this matter within all scientific papers, artistic papers and academic papers. That measure was specifically and explicitly placed there to avoid any remote possibility that there would be an accusation that anyone was seeking to shut down debate. It is there in black and white.

Mrs Ellman: I have listened to my hon. Friend’s comments with interest, but what he says is not borne out in what is happening. Indeed, since the legislation was introduced, the Polish Education Minister has denied the massacre of Jedwabne, and there have been efforts to strip the Polish-American historian, Jan Tomasz Gross, of his order of merit and even to prosecute him for his comments about Polish involvement in the persecution of Jews in Poland.

The situation is very troubling. I am pleased that discussions about what happens now are taking place within Poland, and outside, and I hope that common sense and justice prevail and that the legislation is either withdrawn or severely amended, so that there can be no shutting down of legitimate discussion about the horrors of the holocaust. The people of Poland deserve no less.

10.30 am

Peter Grant (Glenrothes) (SNP): Mr Gapes, it is a privilege to be able to contribute to the debate. I cannot go as far as to say it is a pleasure, because it is a difficult debate to take part in and to listen to. The testimonies we have heard will, I hope, continue to be heard in hundreds of years’ time because there is a story here that we cannot afford to forget.

I commend the hon. Member for Leeds North West (Alex Sobel) on securing the debate and on his contribution, and also the hon. Member for Shrewsbury and Atcham (Daniel Kawczynski), who followed him. It strikes me that we have two people here whose family histories bear remarkable similarities and yet who have used their personal stories to come to completely different conclusions about how we should address what is clearly a serious concern for those in Poland and for many other people. That might be something we should point to—that it is possible for people, with great sincerity and integrity, to come to opposing views about something and be able to air those views such that they disagree without having to get disagreeable. That is too often lacking.

We should also bear in mind that we have heard stories about people—only about a tiny fraction of such people—who did what they believed to be right, knowing that it would cost them their lives. How often in this place does a whole system try to get people to do what it hopes might be politically advantageous to their careers, regardless of what they, in conscience, believe to be right? A clear example has been set by some of the stories we have heard today. It does no harm for Members of Parliament occasionally to look in the mirror and ask ourselves whether we would risk not our lives but our popularity within our party to stand up and speak and vote for what is right.

An earlier speaker said that there was not time in the debate to do justice to the part that the people of Poland and their then Government played in standing against the evil of Nazism. I do not think that the war would have turned out as it did had it not been for the contribution of those people. The truth about many of the things that happen in war gets distorted at the time and continues to be distorted afterwards. We have heard examples of how the Soviet regime tried, and continues to try, to rewrite history completely. I cannot imagine there ever being a time when we will discover that Poland did not play the part it is given credit for. I cannot imagine that the historians will ever find evidence to suggest other than that millions of people in Poland ran horrendous risks and suffered the horrific fate they did to protect friends and neighbours at a time when many other European countries were turning in on themselves. Poland stood against the holocaust at a time when, shamefully, few other countries in occupied Europe, and even in non-occupied Europe, were prepared to do so. I see that as an accepted historical fact and I cannot imagine a time ever coming when it is challenged.

Daniel Kawczynski: The hon. Gentleman is making a powerful speech. I want to get on the record something with which I hope he agrees. Poland welcomed more than 3 million Jews to live there before the outbreak of war, and the two communities co-operated and got on very well. I am proud of how the Poles accepted so many outsiders into their country and of the harmonious society they created. It was the travesty of war that created the problems.

Peter Grant: I am grateful for that intervention. Clearly, I cannot speak with the hon. Gentleman’s authority about the detailed history of Poland, but I certainly look at it from a common-sense point of view. Surely the Jewish population in Poland was so big because Jews were comfortable there and felt that they would be treated better than in many other countries in Europe.

I find offensive any suggestion that the Polish Government, either directly or indirectly, collaborated with the Nazis, and I well understand why the people of Poland today find such suggestions greatly offensive. However, I am not convinced that criminalising the actions of a newspaper or a television programme is the
right way to deal with that offence. That is where the nub lies. I think we must accept that Polish citizens will have collaborated in crimes against humanity—a tiny minority of the Polish population—as, if the full facts were known, there would no doubt have been Scots who collaborated, just as there were Scots who risked their lives to help. People of all nationalities committed acts of great courage, and people of all nationalities will have collaborated in acts of great evil. If we lose sight of that, we do a disservice to all those who risked and lost their lives.

Stephen Pound: I apologise for interrupting the hon. Gentleman’s flow. Holocaust denial is a crime in many parts of the world. Does he suggest that we should repeal all legislation on holocaust denial?

Peter Grant: Absolutely not. I was coming on to that. One of the first steps towards being prepared to allow a repeat of the holocaust is to deny that it ever happened. We also must be careful about denying that it could have happened in other places. I take issue with the hon. Member for Shrewsbury and Atcham on one point. He repeatedly referred to the crimes and actions of Germany. It is a fact that Nazism was born and developed in Germany, but the holocaust was not a battle of nationalities; it was about an ideology of sheer evil that was able to spread across Europe so quickly because it had its proponents in many more countries than we might like to think. It was certainly born and brought up in Germany, but it could have been a child of almost any nation in Europe and, it must be said, it could have happened in the United Kingdom. There were periods in the United Kingdom’s past when anti-Semitism had become so virulent that it would have been possible, if the right group of people had got together, for Nazism or something very like it to take hold. When I talk about the dangers of holocaust denial, I am talking not simply about the denial of a clear historical fact but about the denial of a clear acceptance that it could have happened in other places as well. That is why it can happen again—it has already happened again on a smaller scale—and it will continue to happen if we are not prepared to speak out and act against it.

I am aware of the time pressure and I want to leave time for the winding up. The hon. Member for Leeds North West also deserves a bit of time. I get the point that academics cannot be prosecuted but, as has been pointed out, a law of this nature not only opens a door to legal action in the courts but can sometimes be seen to legitimise actions that no one would want to see legitimised. I do not see where the line could be drawn between an academic publishing something in a journal and a newspaper reporting on that publication. At what point would the law come into play?

However difficult some parts of any nation’s history might be, we must be prepared to face up to the bad parts as well as the good. I have to accept that Glasgow—the city close to which I grew up and which I consider almost a second home—was built on the slave trade. I am not proud of that. I am proud of Glasgow, but I cannot be proud of the part that the city, and Scotland, played in the slave trade. I cannot be proud that the great ancient university town of St Andrews has monuments built into the pavements to show where devout Scottish Christians burned other devout Scottish Christians to death because they were the wrong kind of devout Christian for the time. Those things are parts of our history that we have to face up to, and the more we are willing to face up to the evils that have been done in all our countries and communities, the more we can hopefully ensure that they become much less likely to be repeated.

I have spoken before about Fife’s enormous debt of gratitude to our Polish community. Scotland and the United Kingdom owe an enormous debt of gratitude to the people of Poland not only for what they did during the war, but for what they have done since. We owe Poland an enormous debt of remorse for what we did to them after the war, when we handed Poland over to Stalin, and we should never forget that either.

There is a serious issue that has to be addressed. I simply do not think it is right to clamp down on one of the most precious freedoms we have—the freedom of the press to report things as they see them, and sometimes the freedom of the press to print things that we find offensive. That freedom needs to be protected. It can never be correct or acceptable to accuse Poland of collaboration with the holocaust, but I do not think the law as it is currently framed in Poland or in other European countries is the correct way to go about it. I hope that the Polish Government can be persuaded that there are other ways to prevent their new good name from being besmirched. At the end of the day, if idiots accuse someone of ridiculous things that did not happen, that someone should ignore the idiots and listen to the vast majority.

Mr Khalid Mahmood (Birmingham, Perry Barr) (Lab): It is a pleasure as always to serve under your stewardship, Mr Gapes, particularly given your great knowledge of foreign affairs and your former chairmanship of the Foreign Affairs Committee. I thank my hon. Friend the Member for Leeds North West (Alex Sobel) for securing this debate, which has been an emotional and personal one. I think he wanted to have it elsewhere, but because he was not able to do that, he brought it here. He secured the debate because of his personal history and his family’s history. It has particularly focused on the law that has been introduced. That is a serious issue, and we have to think about how it will proceed. A number of Members have raised different views of the law.

In April 2016, the Polish Government approved a new Bill allowing for terms of up to three years’ imprisonment for anyone using phrases such as “Polish death camps” when referring to Auschwitz and other camps operated by Nazi Germany in occupied Poland during world war two. That in itself is correct. Those were Nazi war camps. They were extermination camps. They were the most hideous form of genocide in the second world war. It is right to condemn that and it is not right to implicate Poland in that—that point I understand. The law goes further, however, and allows the state to give people a three-year sentence for talking about Polish camps and debating Poland’s role. That is the sticking point. How will that law be interpreted and used by different people to stifle debate?

That debate has great significance and it needs to happen, particularly given where we are at the moment. The debate is being used by the far right in Poland.
In 2017, more than 60,000 nationalists took part in a march in Warsaw to mark Poland’s independence day. Slogans included, “White Europe of brotherly nations”, “Pure Poland, white Poland” and “Refugees out”. That is what we are concerned about. It is not in any way about the form of the Polish nation or the people of Poland, who worked terrifically well during the second world war and after. The Polish community served valiantly in Birmingham in support of the Spitfire pilots and as mechanics. We commend the heroic acts of the Polish people, as the hon. Member for Shrewsbury and Atcham (Daniel Kawczynski) said. He spoke about his great-uncle, Jan Kawczynski, who made a huge sacrifice and ultimately paid the ultimate price.

Mr Mahmood: I thank my hon. Friend for that intervention. To clarify, I was not saying that such people represent Poland as a nation. I went further to clarify the role of the Polish people against the Nazis and the actions they took. In that sense, I fully agree with him. The rally was also attended by Tommy Robinson, the former leader of the English Defence League, who is in prison at the moment. Roberto Fiore from Italy also attended. Those people tend to gather at these things. The real issue is how we deal with that.

My hon. Friend the Member for Bassetlaw (John Mann) made the key point that there were 3.3 million Jewish people living in Poland who had property and assets. Most of the descendants of those Polish Jews now live in the United Kingdom. Clarification is still needed about the property that was originally taken by the Nazis and then nationalised by the Communist Government that followed. That issue has to be addressed if we are to address all the issues post-Nazi occupation. The law that the Polish Government have passed does not recognise the heritage of those people who live in the United Kingdom in relation to their families’ assets and properties. In that respect, a resolution calling for restitution has been passed by 46 other nations and endorsed by the US and the European Parliament. That is important, because that resolution confirms the history of the Jewish people in Poland.

Daniel Kawczynski: The hon. Gentleman is talking about reparations and dealing with property rights, but will he recognise that the key stumbling block to all this is the fact that Germany has not yet paid war reparations? My friend in the Polish Parliament, Mr Mularczyk, is heading a taskforce to look at the feasibility of Poland claiming war reparations against Germany. Some estimates put the cost of the destruction at more than £900 billion, and yet Germany has still not paid a penny.

Mr Mahmood: I agree with the hon. Gentleman about German responsibility for reparations, but before we get to the issue of any payments there has to be recognition of the lands that were taken away from people and the communities that lived there. As my hon. Friend the Member for Bassetlaw said, those places are now empty with no Jews living there. That is their hereditary right.

On 12 March my right hon. Friend the Member for Islington South and Finsbury (Emily Thornberry), the shadow Secretary of State for Foreign Affairs, wrote to the Secretary of State to ask a significant question: what action have the Government taken to press for the restoration of property seized by the Nazis in Poland? To date, he has not replied. Perhaps the Minister will pass on the message about the significance of that question when dealing with the issue as a whole. The Government just saying things does not help; action speaks much louder than words. It is important for them to start dealing with the issue.

We must do something and move forward in addressing matters, but time is short, so again I thank my hon. Friend the Member for Leeds North West for securing the debate. It is a crucial issue of the law and what is allowed. This is not about the people of Poland—it has nothing to do with them—but about how the issue can be used, and how further persecution of the Jewish community will be allowed to continue if we do not look at it properly.

The Minister of State, Department for International Development (Harriett Baldwin): I add my congratulations to the hon. Member for Leeds North West (Alex Sobel) on securing 90 minutes in Westminster Hall to debate this important issue. Who cannot be touched by the moving way in which he made his case? In fact, we have heard a range of incredibly moving speeches and oratory from colleagues, and I am privileged to have been able to represent the UK Government on behalf of my right hon. Friend the Minister for Europe and the Americas. He sends his apologies as he is involved in other ministerial duties. I will set out the UK Government’s views on the issue. We have heard different descriptions of the historical background. In the interests of time, I will take it as read that all Members here are aware of the timeline of Poland’s anti-defamation law, and I will set out the Government’s response.

The Government understand how painful any false attribution of Poland’s culpability in Nazi crimes may be, whether explicit or implicit. As we have heard from various hon. Members, some of the most infamous sites associated with the Holocaust were located in what is now Polish territory. Many of us have visited Auschwitz-Birkenau with the Holocaust Educational Trust, a programme that we have recently expanded to include UK university campuses. As we have heard many times in this debate, it is a matter of historical fact that, of the more than 3 million Polish Jews living in Poland in 1939, fewer than 400,000 were still alive in 1945. It is also well known that many Polish citizens risked their lives to save them and the nearly 2 million non-Jewish victims of the Nazis. We have heard very moving personal testimony today. I particularly want to put on the record our recognition of the heroism shown by the great-uncle of my hon. Friend the Member for Shrewsbury and Atcham (Daniel Kawczynski). That act of heroism has now been recorded for all time in Hansard.
We heard other very moving speeches from the hon. Members for Ealing North (Stephen Pound), for Bassetlaw (John Mann), for Liverpool, Riverside (Mrs Ellman), for Gloucester (Peter Grant), and for Perry Barr (Mr Mahmood). It is clear that the horror and pain of the holocaust are still deeply felt in Poland and around the world more than 70 years on. That is why the desire to reject any misleading attribution of Nazi crimes to the Polish nation or state is entirely understandable.

However, as the UK Government have made clear in our private discussions with our Polish partners, we believe there are risks to criminalising any aspect of free speech, because it is through debate and analysis that we enhance our understanding of any issue. Rather than risk closing down debate, our preferred approach is to preserve the collective memory of the holocaust and to use that knowledge to learn the lessons of history. My right hon. Friend the Foreign Secretary made that clear in his discussions with the Polish Foreign Minister, Jacek Czaputowicz, in February and March this year. Our officials in London and diplomats in the British embassy in Warsaw have delivered the same message to Polish Government officials.

The UK’s special envoy for post-holocaust issues, Sir Eric Pickles—soon to be Lord Pickles—has made numerous visits to Poland over the past year to discuss concerns about the revision of history. We understand how the anti-defamation law could be seen as an attempt to redefine the past. Lord Pickles has made it clear in his meetings with Polish Government officials and with representatives of the Jewish community that responsibility for the holocaust rests with the Nazis, and that those responsible, regardless of their nationality, should be held accountable.

It is testament to the historical and enduring relationship between the UK and Poland that we have been able to speak frankly with our Polish colleagues about the anti-defamation law. We will never forget the role played by the Polish armed forces in our own fight against Nazi tyranny in the second world war. We have heard how Polish and British soldiers fought alongside each other throughout the war. Today the enormous contribution of the Polish diaspora community to our economy and society is abundantly clear. It is the driving force behind the deepening relationship between our two countries in business, science and culture, and it is the driving force behind the growth in trade, which reached some £15 billion last year.

We face many more challenges in the future, including some that could threaten the liberty and security of our citizens in the UK and Poland. That is why it is so important that we encourage future generations to study and to remember the horrors of the holocaust. We must use the painful lessons of the past to teach us to avoid repeating the same tragedies in future. That is why we work hard to keep the holocaust firmly on the global agenda. Future generations will not learn those lessons if we stifle debate today. That is why freedom of speech is so important. We will continue to make that argument with our friends and partners in Europe and the wider world. We will continue to encourage them to embrace open debate, not fear it, so that the lessons of history are remembered from generation to generation.

10.55 am

Alex Sobel: I thank everybody for their contributions to today’s difficult debate. It is a testament to our Parliament that we can have such a debate in an open way. I thank the hon. Member for Shrewsbury and Atcham (Daniel Kawczynski) and particularly his family for all the things that they did for Jews in Poland during the war. I am happy to speak to the BBC about its use of language, which is important. We should refer to the camps as Nazi extermination or Nazi death camps. I will see whether I can come to Poland with the hon. Gentleman and the all-party group in July. I take issue with his referring to Polish Jews before the war as “guests”. I do not feel like I am a guest in this country. I do not think my hon. Friends the Members for Liverpool, Riverside (Mrs Ellman) and for Birmingham, Perry Barr (Mr Mahmood) see themselves as guests. I do not know whether the hon. Member for Shrewsbury and Atcham sees himself as a guest. We are not guests; we are citizens. Jews who lived in Poland before the war should be viewed as part of the Polish nation, not as guests of the Polish nation.

I thank my hon. Friend the Member for Ealing North (Stephen Pound) for his kind words. He is always very kind to me, but he probably needs to look a little more into the issue, particularly the involvement of individual Poles in the holocaust. Barbara Engelking, founder and director of the Polish Centre for Holocaust Research, has written a book, “Such a Beautiful Sunny Day”, about this. She is also the chair of the International Auschwitz Council, but she said recently that there had been an attempt to remove her as chair. The Deputy Prime Minister of Poland went to Israel this week and said that the composition of the International Auschwitz Council should be guided by “Polish sensitivity”, which I interpret as an attack on Barbara Engelking and I am very concerned about it. I hope that the Foreign Office can also look at raising that as an issue in its discussions.

I thank my hon. Friend the Member for Bassetlaw (John Mann), who, in his typical style, raised a wide range of issues related to the holocaust and anti-Semitism. As the chair of the all-party parliamentary group against antisemitism, he highlighted all the similar laws across Europe. I considered doing that, but time did not allow, so I am grateful to him for raising that. We need to tackle such matters right across Europe. There is, I am afraid to say, a contagion that is spreading.

My hon. Friend the Member for Liverpool, Riverside has given me much support in these areas. I was not aware of her own personal family history and how that memory will be affected by the anti-defamation law. I thank her for her support. I also thank my hon. Friend the Member for Birmingham, Perry Barr. I did not intend to raise war reparations as an issue. On a personal level, I am not seeking war reparations from the Polish Government. I am concerned, however, that the letter of 13 March that the shadow Foreign Secretary sent has not had a response. I will pass on a copy of the letter I received from the Minister for Europe, which was helpful but needs to go further.

The Minister of State, Department for International Development, the hon. Member for West Worcestershire (Harriett Baldwin) is subbing for the Minister for Europe and the Americas. I thank her and him for the letter and for raising the issue of criminality of debate. We need to raise it at every opportunity in every European institution. I hope that the Foreign Office will redouble its efforts so
that we can apply pressure and also talk to other EU member states, some of whom I am sure have similar concerns about this issue. We must impress on the Polish Government the effect that the law is having not only within their own country but globally.

Question put and agreed to.
Resolved.
That this House has considered Polish anti-defamation law.

Yasmin Qureshi (Bolton South East) (Lab): I beg to move,
That this House has considered potholes and road maintenance.

It is a pleasure to serve under your chairmanship, Mr Gapes, in discussing this vital issue.

On the surface, potholes and road maintenance may not sound like the most appealing or urgent of concerns. However, roads are a reflection of a country’s infrastructure and ability to provide essential services. Good roads are the lifeblood of our country. They connect communities, families, livelihoods and industries. They allow ambulances to reach their destinations faster, citizens to spend less of their already busy lives in traffic, and the police to reach those in need more quickly.

Ruth Cadbury (Brentford and Isleworth) (Lab): I congratulate my hon. Friend on introducing the debate. Does she agree that potholes not only present a cost, an inconvenience and sometimes a delay to motorists, but are a severe risk to life and limb for people riding bikes? Some 390 cyclists have been killed or seriously injured in the last 10 years as a result of potholes and bad road surfaces.

Yasmin Qureshi: I entirely agree, and I was going to come on to that point in my speech a bit further down the road.

Today, our roads are unarguably in a state of disrepair that worsens by the day. A brief survey of the facts reveals that the challenges that we face will increase if the Government continue to ignore concerns.

Mr Stephen Hepburn (Jarrow) (Lab): I congratulate my hon. Friend on introducing today’s debate. Does it not just show the mess the country is in that the Labour party has had to call a major parliamentary debate on potholes? Does it not also show what a false economy the Government’s seven years of austerity have been? They have made £200 million available to local councils to sort out potholes, when in the north-east alone we need £1 billion.

Yasmin Qureshi: I entirely agree, and I will touch on that point later.

The Local Government Association recently stated that we are facing a “roads crisis”. That is demonstrated by the worst findings that the LGA has found since it began measuring potholes in 2006. The Royal Automobile Club Foundation for Motoring has found that pothole faults have worsened for the fourth consecutive quarter. An estimated 24,000 miles of road require repair in the next year, and 20% of local roads are thought likely to fail in the next five years.

Those issues are not being dealt with anywhere near fast enough, culminating in an extraordinary backlog of work that needs to be done. It is estimated that a one-time catch-up on that backlog would take 14 years to complete and cost £9.31 billion. That figure is alarming, but it will, of course, only get bigger if action is not taken right now.

Laura Smith (Crewe and Nantwich) (Lab): Does my hon. Friend share my concern about the amount of taxpayers’ money being spent on compensation as a result of the damage caused by potholes?
Yasmin Qureshi: Absolutely, and I will come on to that point later.

The decline has been noted by drivers, with 51% of motorists saying that the conditions of local roads worsened between 2016 and 2017. Only 7% said that they had improved. An overwhelming majority—92%—attributed that to road surfaces and the numerous potholes on the roads. Most significantly, the situation is extremely dangerous for those travelling by bus, bike and foot. In 2016, poor or defective road surfaces were found to be the key contributing factor in 598 road traffic accidents, 12 of which produced fatalities.

Mrs Helen Grant (Maidstone and The Weald) (Con): I, too, congratulate the hon. Lady on securing this important debate—it is a shame it is only 30 minutes. Three massive sinkholes have appeared in recent weeks in my constituency, causing road havoc and other inconvenience to my constituents. Does she agree that local authorities and other stakeholders must put people and safety first—above the various organisational arguments about who pays and who does the corrective work?

Yasmin Qureshi: I thank the hon. Lady for that intervention. Of course, one of the problems is that local authorities’ budgets have been slashed consistently over the last eight years, to the point that local authorities are often left able to deal only with their legal obligations, and potholes and road repairs have to be put on the backburner.

Such worries are particularly serious for cyclists, as my hon. Friend the Member for Brentford and Isleworth (Ruth Cadbury) mentioned. Between 2007 and 2016, Government statistics show that at least 390 people were killed or seriously injured as a direct consequence of a perverse funding system, as was highlighted by a respondent to the House of Commons Facebook page. Discussing today’s debate, Rob commented:

Yasmin Qureshi: That is absolutely correct; I cannot disagree with that.

Damaged roads are also a serious concern for the elderly and for children. Some roads in my constituency of Bolton South East are particularly problematic. The potholes in Westland Avenue are so big that when it rains, the rainwater stays. That has caused damage to people’s homes. At least four families have had to be taken away from their homes to be rehoused elsewhere, and two other families are living in the upstairs part of their home.

John Howell (Henley) (Con): I thank the hon. Lady for giving way; she is being very generous. I just want to pick her up on a couple of points. We are spending about £23 billion a year on fixing potholes and roads. The amount that was given in the last Budget to my own county to fix the roads was close to £20 million. We must put pressure on local councils to do the job properly.

Yasmin Qureshi: I will come on to the blaming of local councils, but first I will finish talking about roads in my constituency.

Bridgewater Street has Maxton House, a supported home for the elderly and people with dementia, on it. Over a number of months, there have been six accidents alone on that particular road. Again, the work has not been done. A recent RAC survey found that the condition and maintenance of local roads was the second-ranked motoring issue in an extensive list that also included safety, cost and mobility concerns.

Local authorities have paid more than £70 million in pothole compensation since 2013. That amounts to unnecessary wastage of more than 25% of the £250 million the Government announced in its 2013 pothole action fund. Collectively, the AA calculates that potholes are costing drivers and insurers £1 million every month. That situation is not normal or acceptable. It is a result of a perverse funding system, as was highlighted by a respondent to the House of Commons Facebook page. Discussing today’s debate, Rob commented:

Julie Cooper (Burnley) (Lab): I am grateful to my hon. Friend for securing this debate and making a very strong case. My own authority, Conservative-controlled Lancashire County Council, is out there measuring reported potholes to decide whether they are deep enough to repair. Many do not satisfy the requirement, but what we find is that small potholes become big potholes, which become trenches. It is a total false economy.

Yasmin Qureshi: That is absolutely correct. In 2015-16, my local authority spent £6.5 million on repairing roads. It had to find that money. Continually to blame local authorities for the fact that they do not have the money is completely wrong. I do not know where the £23 billion for potholes came from, because I can assure hon. Members that none of that money has made its way to my council in Bolton. My council now needs at least £108 million to fully repair the potholes across the borough. The Government repeatedly argue that this is a local council issue and that it is down to local councils to allocate more money. How are they to allocate money they do not have? Where are they expected to find that money from? Most parts of Bolton do not have massive, expensive homes. Bolton does not have loads of businesses it can raise local rates from. It needs national Government settlement funding, which has been cut for the last eight years.
Andrew Selous (South West Bedfordshire) (Con): I reiterate the point on cycling that other hon. Members have made: 64 cyclists were killed or seriously injured in 2016, so it is a serious issue.

On the value-for-money point, would the hon. Lady agree that using a Jetpatcher to repair a whole section of road, as Central Bedfordshire Council and other councils are doing, can sometimes be more efficient and a better use of taxpayers’ money than filling individual potholes that then just continue to develop?

Yasmin Qureshi: I am sure there are good ways of trying to repair roads, but they all require money. Even the cheaper option that the hon. Gentleman suggests requires money to be made available. The problem is that the money is not there.

One of the purposes of today’s debate is to highlight to the Minister and the Government the importance of the issue. I do not know why people here seem to be in denial about the fact that there is chronic underfunding and cutting of grants to local authorities. I know some constituencies and parts of the country are very wealthy and can raise enough rates to meet all their needs, but my local authority needs assistance.

Julie Cooper: And mine.

Yasmin Qureshi: So do many others, such as Burnley. Chronic underfunding has led to extremely worrying short-termism on the part of local councils. They have opted for the inexpensive, short-term solution, which of course fails to tackle the actual issue of repairing the whole road. We know that at some later point, there will be problems on that road.

It does not have to be that way. I urge the Government to increase funding to local authorities. They have said that they gave some money in a package in March, but that was not new funding; it had already been announced. A huge funding gap still exists, and the backlogs are still there. We need that money.

The Government need to understand a simple point: if they keep doing the same thing, we will see the same result: we will have to endure worse and less safe roads. We will have to pick up the personal costs of damage to our vehicles and the collective cost of wasted taxpayers’ money on compensation. On top of those fees, we will have to endure more years of this Government deflecting blame and refusing to take responsibility, when their miserly approach has come back to bite the people that they purport to represent.

Robert Courts (Witney) (Con): The hon. Lady is being very generous with her time, and I am grateful to her for giving way. My constituency in west Oxfordshire has a similar great problem with potholes, on both major and rural roads. I declare my interest as a cyclist. Potholes are a danger to me, but they do damage to our vehicles too. Does she agree that prevention is better than cure? Would she encourage utility companies, as the Government are doing, not to put their facilities in roads, so that when those facilities have to be fixed, damage is not caused to the roads? Potholes are much more likely to reoccur where there is a structure in the road, rather than on the side.

Julia Lopez (Hornchurch and Upminster) (Con): The Minister talks of the need for a long-term solution. Will he consider what the Local Government Association has proposed, whereby the Government would reinvest...
2p per litre of current fuel duty into local road maintenance so that we have a consistent stream of funding long into the future?

**Jesse Norman:** One of the many reasons why it is wrong to characterise the Government as not investing in infrastructure is that we have, for the first time in decades, created a roads fund, to be funded by vehicle excise duty. It is subject to negotiation with the Treasury, of course, but we hope to continue on the path of increasing investment across our road network and supporting not just strategic roads but local roads. Investment already runs at a little over £1 billion a year. I will of course take the Local Government Association’s suggestions to heart, but my hon. Friend should be aware that, over the next few years, we will be investing on a more hypothecated basis at a very high level.

**Julie Cooper:** On the funding of road maintenance, does the Minister agree that prevention is far better than cure? In my authority of Lancashire, eight years of neglected road maintenance, due to a lack of funding, has led to a very expensive problem. Does he agree that lessons need to be learned for the future?

**Jesse Norman:** I agree with the hon. Lady. Lady, and she has accurately reproduced one of the central principles of the 2012 potholes review, which was widely endorsed by everyone. Later in my speech, I will talk about how seriously we are taking that point.

**Andrew Selous:** I am very grateful to the Minister for giving way. I know that he takes these issues seriously. Will he ask the Department for Transport to have a serious conversation with the Treasury about the severity of our winters? In central Bedfordshire, we have had 90 salt runs this year, compared with an average of 50. As he knows very well, salt does a great deal of damage to our roads. There is a case for enabling the Treasury to flex the additional money it gives to councils in response to very long, severe winters like the one we just had.

**Jesse Norman:** Of course that is right. Flood resilience and other funding has been made available, and can be tweaked in response to that. Many local authorities were not prepared for the severity of last winter and the repeated freezes that damaged our roads. My hon. Friend is absolutely right. The wider point is that, as part of a strategic and longer-term view of local roads funding, we can create greater resilience in the network as a whole so that those kinds of events can be better dealt with.

**Robert Courts:** I am very grateful to the Minister for giving way. He is being very generous with his time. He spoke of a strategic approach to funding, but will he also consider a strategic approach to rural roads? In many parts of Oxfordshire—particularly west Oxfordshire, where I am—we are essentially dealing with cart tracks that have been tarmacked at some point and need long-term maintenance. Will he consider that point?

**Jesse Norman:** I very much do consider that point. I live in a rural consistency that has urban roads in Hereford and lots of rural roads around it, so I take both sides of that argument extremely seriously. The facts are interesting. Although there has rightly been a lot of concern about the recent effects of the winter, A and B roads have gradually improved, by and large, as our annual road conditions survey work shows. It may well be that, as we look at the effect of the last quarter or two, that picture will have changed due to the severity of the winter, but that is the overall picture. However, that does not address the issue of C and U roads, which are a further cause of concern, and my hon. Friend quite properly raises it.

**Douglas Ross (Moray) (Con):** rose—

**Jesse Norman:** I have taken a lot of interventions—

**Douglas Ross:** Will the Minister take one more?

**Jesse Norman:** I will take one more in half a second, but I want to be sure I can leave a minute to the hon. Member for Bolton South East.

**Mike Gapes (in the Chair):** You do not need to do that.

**Jesse Norman:** If I do not need to do that and can just run through to the end, that gives me time.

**Douglas Ross:** I am very grateful to the Minister for taking an intervention. Potholes do not stop at the border. In Scotland, where the Conservatives are not currently in charge of road maintenance—I hope that changes, with Ruth Davidson as First Minister—we have more than 153,000 potholes, so it is a problem no matter which Government are in charge. Does the Minister agree that my constituents in Moray would be better served if local authorities repaired the potholes, rather than paid out millions of pounds in compensation? In the end, the taxpayer has to pay one way or another.

**Jesse Norman:** It is certainly preferable, as the potholes review and other survey work recognised, that it be done right first time. Roads should be reinstated in a way that allows the changes to be durable, and road surfaces should be able to stand inclement weather.

Our overall approach is based on principles of asset management, increasing over time. The Government are investing about £6 billion in the network between 2015 and 2021—about £1 billion a year—including through the pothole action fund. That money is increasingly being used as part of a more strategic, asset management-type approach to the roads, which is important. As part of that, we have looked very hard at how we can help highway authorities to adopt planned and preventive maintenance that treats the asset as such, rather than just respond reactively to problems that emerge. Those principles are already demonstrating benefits in terms of financial efficiency, improved accountability, value for money and improved customer service, and we want to continue to work on that.

As matters are presently handled, there is a formula, and rightly so. We do not think councils should constantly have to apply for the vast preponderance of the funding that they receive from the Department for local roads. They should be funded according to an easier and fairer formula.

**Ruth Cadbury:** Does the Minister agree that the £43 million and the officer time spent because 156 local authorities have to deal with claims from motorists and other road users as a result of pothole damage and injury are a waste of money?
Jesse Norman: I certainly think that is true. I do not know whether it is a waste of money; it is perfectly proper to spend that money on people who have claims, but it would be nice if those claims were as low as possible, and improvements to the local road network can ameliorate that. The point is that the formula is in place and is a fair and equitable way of allocating funding.

I note that the Department has given about £6 million to Bolton through the Greater Manchester Combined Authority. The hon. Member for Bolton South East is concerned about the wellbeing of her own constituents, but the GMCA covers a very wealthy part of the country.

John Howell: Will the Minister give way?

Jesse Norman: I will, but I am very short of time and I have a lot of material to cover. In fact, I will not give way—I am going to crack on.

I have touched on the potholes review; let me talk very briefly about a few other things. Members mentioned the effect of poor road reinstatements by utility companies, and they are absolutely right to do so. There are powers to deal with such issues, and we are currently reviewing and updating the rules, known as the specification for the reinstatement of openings in highways, to ensure that the most innovative new techniques are adopted and that reinstatements are treated properly so that disruption is minimised wherever possible.

Hon. Members will be aware of something called lane rental, which we have pioneered in London and Kent. It is applied to the most congested 5% of the network and requires funds to be spent on ways of reducing congestion caused by street works, and not on general road maintenance. We have announced that that scheme will be used more widely over the next year or two. We will issue bidding guidance later this year for local authorities that want to take advantage of it.

The new street manager scheme, which we have set up, is a piece of software linked to a digital service that allows local authorities and other registered bodies to put in accurate and up-to-date data on live and planned works. It should enable utilities works to be better co-ordinated to put less pressure on roads. It is a very important long-term scheme.

Local authorities can choose whether to have permit schemes, which are a very effective way of planning and co-ordinating works to reduce the impact on congestion and on the roads. About 65% of local authorities have them. We are about to publish an evaluation of permit schemes, which shows that they are superior to the passive notices schemes used by the other 35% of authorities.

In the minute and a half I have left, let me touch on new technology. There are plenty of ways in which new technology can make a difference in this area. We are pioneering pothole spotting, using new technologies in partnership with the councils in Thurrock, York and Wiltshire. It involves high-definition cameras attached to vehicles to gather rich data about the highways and assess levels of road deterioration. That project, which has already won a national award, has enormous potential.

We are starting to work even more closely with the sector and key stakeholders, including the Highways Term Maintenance Association, the Association of Directors of Environment, Economy, Planning and Transport, the RAC Foundation, which has been mentioned, local highway authorities, contractors, consultants, academia and others to try to improve the work we do and to ensure “right first time” maintenance and higher quality road surfaces.

We all acknowledge the importance of this issue. I hope colleagues will understand my level of engagement as a Minister with this question and that of some of my officials. I have outlined my interest in having a longer-term, more strategic approach that covers urban and rural roads. I hope that the hon. Member for Bolton South East shares my optimism as we continue to work with local highway authorities on a wide range of initiatives, including the ones I have described, to improve our local road network.

Question put and agreed to.

11.30 am

Sitting suspended.
Public Sector Pay Policy

[Albert Owen in the Chair]

2.30 pm

Chris Stephens (Glasgow South West) (SNP): I beg to move,

That this House has considered public sector pay policy.

It is a pleasure to serve under your chairmanship, Mr Owen. I refer to my entry in the Register of Members’ Financial Interests and my position as chair of the Public and Commercial Services union parliamentary group.

I shall focus entirely on the pay of civil servants. A few months ago the Government declared—to great fanfare—that the public sector pay cap had been lifted, but is that really the case? On 2 May I asked the Prime Minister:

“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 responded:

“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.”—[Official Report, 2 May 2018; Vol. 640, c. 312.]

In other words, yes. UK Departments have budgeted for only 1%, and it is therefore reasonable to assume that the 1% public sector pay cap still exists and applies to our civil servants. Perhaps the Minister will confirm that the public sector pay cap is in reality still in force.

As the Minister knows, on 19 January 2018 the PCS pay claim was submitted to his colleague the Chancellor of the Duchy of Lancaster and Minister for the Cabinet Office. However, the Chancellor of the Exchequer’s spring statement gave no indication that the Government’s position had changed significantly. To date, all further indications have been that the Treasury’s remit guidance, imminent this month, will in effect retain the 1% pay cap for civil servants.

Following the submission of the PCS claim, meetings have taken place with the Minister and Cabinet Office officials, who stated that, in their view, where no pay cap is in place, there is no additional funding for pay, so any increases would need to come from existing departmental budgets.

Mr Jim Cunningham (Coventry South) (Lab): I thank the hon. Gentleman for giving way and for keeping the 1% pay cap issue alive. Not only have public sector workers had to put up with the cap for several years, which in fact has meant a pay cut, but there have been job losses, including in the probation services. The Government are using the oldest argument under the sun: Departments must find the money. But it is the Treasury that should find the money, rather than cutting departmental funding further.

Chris Stephens: I agree with the hon. Gentleman. I was a trade union rep in local government before I arrived in this place, and when the public sector pay cap was first put in place, I remember that the argument used to sell it to public sector workers was that the freeze would protect jobs. As he has said, however, we have instead seen job losses in the Departments and elsewhere in the public sector.

I have a copy of the letter that the Minister wrote to PCS reiterating the position that he had stated in the meeting. However, independent research undertaken by the Centre for Labour and Social Studies on behalf of the PCS came to the following conclusions:

“Any increases in public sector pay would have to come out of Resource Departmental Expenditure Limits”,

which are Departments’ current budgets. It continued:

“departments as a whole will continue to suffer real term cuts to their RDELs up to 2020. In the departments of interest covered by our analysis, only the Ministry of Defence will see an increase… This falls way short of what is needed for a 5% nominal pay rise in each year, and also fails to accommodate annual pay rises of 1%”.

In particular, it said:

“Given current projections of departmental expenditure limits, we conclude that any pay rise for public sector workers across…departments would have to come from cuts to jobs or to public services.”

Delegated pay talks are a key part of the problem on pay in this area. There are—this is staggering—in excess of 200 sets of pay negotiations throughout the civil service and its related bodies. The trade unions require proper talks on pay claims, including exploration of the scope for a more coherent approach to pay throughout the civil service and its related bodies. As I understand it, tentative talks on coherence have been under way for years, but progress has been slow. PCS has had a meeting with the Minister, who I believe agreed to reflect on the points made to him and has responded by leaving the door open to such discussions. However, there is frustration that no further progress seems to have been made.

I hope the Minister can today update the House on the Government’s approach to delegated pay, providing for more coherence for the pay structure for civil servants.

Dan Carden (Liverpool, Walton) (Lab): Does the hon. Gentleman agree that when pay bargaining is delegated to Departments that are being cut by the Treasury, the whole process is an absolute sham? There is no possibility of getting rid of the 1% pay cap because the Departments have themselves been cut.

Chris Stephens: I agree with the hon. Gentleman. He makes a valid point. One difficulty arising from having 200 sets of pay negotiations is to do with the Equal Pay Act 1970. How does it operate for civil service pay with so many pay schemes across the board? The Government should reflect on that.

Mike Hill (Hartlepool) (Lab): On equal pay, does the hon. Gentleman agree that we should be celebrating the 150th anniversary of the TUC and taking heed of its recent finding that the gulf between the earnings of younger and older people has increased by 50% in the last 20 years, especially in the private sector but also in the public sector?
Chris Stephens: I thank the hon. Gentleman for that, and as a proud trade unionist myself I look forward to seeing the early-day motion that celebrates 150 years of the Trades Union Congress. The point he makes is absolutely right: there is a growing pay gap between the older and younger generations. In addition, there is a real challenge on the gender pay gap.

Rachael Maskell (York Central) (Lab/Co-op): The hon. Gentleman is making an excellent speech. I want to draw attention to another inequality in having a 1% pay cap. The lowest earners who get 1% see only a little increase in their pay, compared with the top of the civil service, where they see a massive increase. Surely that inequality must be addressed.

Chris Stephens: I agree with the hon. Lady. As someone involved in the trade union movement, I was particularly of the view that we should look at flat-rate claims as well as percentage claims, so that the low-paid got a bigger pay increase. I will touch on some of the issues around low pay for civil servants later.

I hope that the Minister will agree, however, that having more than 200 different sets of pay negotiations for civil servants in UK Departments is frankly nonsense. Towards the end of May, PCS received correspondence from the Cabinet Office seeking a meeting to discuss the pay claim. In May, the PCS annual delegate conference, which I attended to give the PCS parliamentary group report, discussed the issue of pay.

There are different approaches in these islands, such as those of the NHS and the Scottish Government. Funded pay rises have been made available in those two bodies. In the NHS, an agreement for public sector workers has been reached with unions: a funded increase that will see staff offered long overdue pay rises of between 6.5% and 29% over the next three years. Additional funding of £4.2 billion for that has been agreed by the Treasury, meaning that the increase to the NHS pay bill will not come from within existing budgets.

Policy on public sector pay is devolved in Scotland. In the Scottish Government sector, the PCS is moving towards agreed settlements with the employer across all bargaining areas, which include: those earning under £36,500 receiving 3% plus progression, or 3% plus 1% non-consolidated for those on the maximum pay rate; progression payments of 2.5% plus an additional top-up to the maximum for those five years in the grade; maternity pay increased to 27 weeks of full pay; paternity pay increased to four weeks of full pay; occupational sick pay extended to include all staff on entry; no compulsory redundancy guarantees being extended; and assurances on equality impact assessments.

The Scottish Government have been flooded with applications from civil servants who are employed by UK Government Departments and see a vacancy for the Scottish Government. In Scotland, people who happen to work for a UK Government Department will see many of their colleagues leave to get a better pay rise by working for the Scottish Government. I hope that as part of the competition in many areas between Scotland and England, the UK Government will increase their pay rises to match those of the Scottish Government.

Civil servants deliver cradle-to-grave services daily, from driving test examinations to collecting tax, running our prisons, supporting our armed services, administering our justice system, staffing our borders, renewing our passports, looking after our museums and galleries, supporting the unemployed into work and maintaining our transport system. The civil service is the engine room of the country. Brexit is a key challenge faced by the country. Clearly, it is essential that the civil service is robust and resourced effectively to face that challenge.

The trade union undertook a consultative ballot of members towards the end of last year. The mandate was clear: members in the civil service are against a continuation of the 1% cap and are willing to take industrial action to demand that. In a 49% turnout, 99% of PCS members voted to reject the pay cap and 80% supported industrial action if required. That campaign will continue apace in 2018 in workplaces and in PCS branches and groups.

Lilian Greenwood (Nottingham South) (Lab): The hon. Gentleman is making a powerful case on behalf of public servants. Does he agree that one of the issues is that public servants increasingly feel undervalued? It is very hard for people to give their best at work, particularly when we need them to do the important jobs that he describes, if they feel they are not valued by their employer. That is almost inevitable, given the pay restraint they have suffered over many years.

Chris Stephens: I agree with that entirely. I will list the views of civil servants on the public sector pay cap a little later. The hon. Lady is absolutely correct that public sector workers across the board feel undervalued because the 1% pay cap has been in place for so many years.

Mary Glindon (North Tyneside) (Lab): I am intervening as a member of the associate and retired members branch of PCS and as part of the parliamentary group. Further to what the hon. Gentleman said in response to the last intervention, does he think it is ludicrous that there will be civil servants and public sector workers in receipt of universal credit who will be under scrutiny by the Department for Work and Pensions to increase their income to comply with UC rules?

Chris Stephens: I agree with that entirely. The vice-chair of the PCS parliamentary group makes an excellent point. A recent survey at the Department for Work and Pensions showed that more than 70% of its staff have experienced financial difficulty in the last 12 months.

With the introduction of universal credit, the point has been made that civil servants who will be in receipt of universal credit due to low pay or being a part-time worker will be under scrutiny by their own Department to increase their income to comply with those rules. That is important, because 18 months ago I secured an Adjournment debate on low pay in the Department for Work and Pensions, which pushed the Department to act. At that time, incredibly, 40% of civil servants employed in the Department for Work and Pensions were in receipt of tax credits. I hope the Minister will look at that.

Alex Norris (Nottingham North) (Lab/Co-op): I am grateful to the hon. Gentleman for making a powerful case on behalf of public servants. Does he share my frustration that we hear the Government talk in reverent terms about the need to tackle poverty, but almost in the next breath they talk about the need for continued pay restraint? There is no understanding of the connection between those two things.
**Chris Stephens**: It is an entirely false economy. According to research by the Scottish Trades Union Congress, 70p in every pound of public sector money ends up in the private sector economy. It would follow that pay restraint in the public sector harms not only public sector workers and their wages, but spending power in the private sector economy. I hope the Government will look at that.

Will the Minister publish the percentage of employees in each UK Government Department who are in receipt of tax credits? I am sure I am not the only Member of this House who will want to know how low civil servants’ pay is across the country. If we had an indication of the percentage of civil servants in each Department who are in receipt of tax credits, we would find out exactly how low pay is in the public sector.

Hon. Members have mentioned the views of public sector workers. I want to list just some of the comments received by the PCS union from across these isles. Fiona works in the Department for Work and Pensions, and this is how she felt:

“The government is seeking to divide us into deserving and undeserving. Our colleagues in universities are seen as deserving, but those who work for government are not. It’s atrocious. If the government expects us to go into the civil service, they can damn well pay us for it.”

Neil, in the Office for Students, said:

“We need to get back to where we were. The cost of living is not waiting for us to catch up.”

Tracey, at HM Revenue and Customs, said:

“We are not getting paid enough to keep up with increases in the cost of living. People are doing the same job as colleagues but they are being paid less because there have been no incremental pay rises.”

Wilfred, who works for the Ministry of Justice, said:

“Civil servants are overworked and do the most important jobs for society. In the MoJ we work for judges and deserve respect for the jobs we do. Our skills should be reflected in our remuneration.”

Nicole, who works for the Department for Work and Pensions, said:

“The question should be ‘Why don’t I deserve a pay rise?’ We deserve a better quality of life. DWP is still one of the lowest paid government departments. The fact that we are office workers doesn’t make it less important that we can’t afford to live.”

Richard, who works for the Marine Management Organisation, said:

“I’m now earning less money than I was 17 years ago. Prices have gone up but wages have not kept up.”

Susy, who works for Olgjem, said:

“We work hard to achieve results, otherwise what’s keeping us going? There has to be more than job development - we are not shown respect.”

Gordon, who works for the Department for Work and Pensions, said:

“Since the pay cap was imposed my standard of living has fallen every single year. We are falling behind the private sector and people are leaving the department because of low pay.”

Scott, who works in DES Student Loans, said:

“We provide a vital service to students. The cost of living is not in line with our wages. We want a fair day’s pay a fair day’s work.”

Those are the real concerns of civil servants who work across the UK Government Departments.

There are other concerns, too. Some Departments have been reshaping their services, resulting in office closures and staff moving to other locations. Will the Minister confirm that not all those Departments compensate civil servants for office moves? Does he appreciate that some civil servants experience a double whammy of a 1% pay rise and an office move that causes additional travelling costs?

As the Member of Parliament with a higher percentage of public sector employment among those in work than in other constituencies in these isles, I have campaigned vigorously for the public sector pay cap to end. I listed many reasons for that earlier, such as the fact that 70p in every pound goes into the private sector economy. Increasing pay for civil servants will boost the whole economy and increase spending power. We cannot go on with a system where the Government advocate pay restraint but then spend money propping up low pay in the public sector via the benefits system.

**Julia Lopez** (Hornchurch and Upminster) (Con): Is the hon. Gentleman aware of how much private sector employees get in his constituency? There is a risk in certain parts of the country, where the public sector is so dominant, that the relative spending power of public sector workers will make it difficult for private enterprises to flourish, because they cannot attract the correct employees to their business.

**Chris Stephens**: I take the opposite view. In areas of high public sector employment, public employees’ spending power keeps the private sector economy alive. They keep jobs going in the private sector with the money they spend, so I am afraid I do not agree with the hon. Lady’s analysis.

It is an honour and privilege to speak on behalf of millions of people employed in the civil service on these islands. I look forward to the Minister responding positively to the issues raised today.

2.50 pm

**Luke Graham** (Ochil and South Perthshire) (Con): It is a pleasure to speak under your chairmanship, Mr Owen. I congratulate the hon. Member for Glasgow South West (Chris Stephens) on securing the debate. I am sure that he will agree with much of what I say.

Public sector pay has been a hot topic for parties across the political divide over the past few years. The 1% public sector pay cap, which was introduced in 2010 by the coalition Government, was seen at the time as a reasonable approach to help to reduce the deficit while keeping pay increases in line with the very low rate of inflation. The cap, which formed part of the Government’s long-term economic plan, helped to get this country’s public finances back under control and ensure that the finances that keep the public sector running got back on to a more sustainable footing.

In recent months and years, with some of the deficit costs having come down and the Government having met some of their targets, we have seen some of that effort and sacrifice bear fruit. That necessary process allowed the UK Government to protect public sector jobs and services, which I believe is why the Scottish National party Administration in Scotland and the Labour Administration in Wales also implemented the 1% pay cap policy.

However, as I am sure hon. Members across the Chamber would agree, that was never intended to be a permanent or even a long-term solution. That is why I
am pleased that the UK Government are moving away from the 1% public sector pay policy in favour of a more flexible approach. It is more than fair that that shift in pay policy comes now. However, as one of my hon. Friends mentioned, the policy helped to address some of the issues that were emerging between private and public sector pay. As a result of the great recession, we saw a decrease in private sector pay that was not reflected as severely in public sector pay. We have since seen a divergence, and then a convergence.

Julian Knight (Solihull) (Con): My hon. Friend makes an interesting point. Is the situation he describes not exacerbated by pensions differences? The fact is that the pensions of public sector workers are far more valuable than those in the private sector.

Luke Graham: That is right. We need to look at pay, but we need to look at overall packages as well, including pensions and other rights and responsibilities that both public and private sector employees benefit from. I am really clear that the public sector should always be as competitive and attractive as the private sector in both pay and packages, and I certainly do not argue that there should be any decrease in that.

Neil Gray (Airdrie and Shotts) (SNP): The hon. Gentleman appears to be outlining a case for the end of competitive and attractive as the private sector in both public and private sector employees benefit from. I am pleased that the UK Government are moving away from the 1% public sector pay policy in favour of a more flexible approach. For example, the pay rises of between 6.5% and 29% over the next three years in the NHS in England represent great progress. I welcome the fact that pay increases will be larger for lower-paid staff and smaller for those on the highest salaries. The hon. Member for Glasgow South West mentioned that those increases compare with increases of 3% plus 1% in Scotland.

We should be really clear, because sometimes we do not get the full story on Scottish issues. We speak in favour of some of the pay increases, but it is clear that the increases have been between 6.5% and 29% in the NHS in England, and 3% plus 1% in Scotland, as the hon. Gentleman said. We all face challenges—I just wish the Scottish National Party would be more honest about those challenges.

Neil Gray: Will the hon. Gentleman give way?

Luke Graham: I will, but let me complete this point. It is right that pay increases have been directed more at people who are just about managing and at those on lower incomes. They should benefit those who really need a pay rise. I note that the devolved Administration in Scotland mirrored the UK Government’s 1% pay policy when it was in place, and I am glad that public sector workers in Scotland will now also receive increases. I hope they are as generous as the ones afforded by the UK Government.

Neil Gray: Does the hon. Gentleman accept that the pay differential between the NHS in England and the NHS in Scotland is 1% in favour of employees in Scotland?

Luke Graham: We have to be very careful about making generalisations. On a case-by-case basis, especially for some lower-income workers, that 1% differential does not apply. I would be more than happy to talk to the hon. Gentleman elsewhere and go into that level of detail.

We are talking about pay, but the other side of the equation is tax. I am disappointed that the SNP Administration in Edinburgh have decided to increase income tax in Scotland. Anyone who earns more than £26,000—slightly below the average wage in the United Kingdom—is now a so-called high earner and has to pay more income tax than their English and Welsh counterparts. That includes teachers, nurses and doctors. Importantly, it also includes armed forces personnel stationed in Scotland, who now pay more tax than any other British armed forces personnel stationed around the world.

Neil Gray: That is not true.

Luke Graham: It is.

Neil Gray rose—

Luke Graham: I will let the hon. Gentleman intervene, but I will come back on that point.

Neil Gray: I am sure the hon. Gentleman understands and appreciates that the terms and conditions of armed forces personnel ensure that there is an even playing
field between different areas of deployment. That means that if there are spikes or drops in taxation or any other cost of their employment, they do not have to suffer those themselves. They will get the pay rise, but they will not have to suffer the tax rise.

Albert Owen (in the Chair): Order. Mr Gray will respond to the debate from the Front Bench, so he will have protected time. I ask him to be a bit more disciplined and allow Back Benchers to have their time, too.

Luke Graham: Thank you, Mr Owen. I always welcome a lively debate.

To be clear, that pay rise will not come from the devolved Administration that imposed the tax; it will come from the UK Government, who will have to cough up to bridge the gap. It was not me who said that Scotland has the highest rate of tax for armed forces personnel; it was Lieutenant General Nugee at a hearing of the Public Accounts Committee just yesterday. That is fact. It is clear that it will be left to Her Majesty’s Treasury to try to bridge the gap and ensure that people are not disadvantaged.

Scotland was already the most taxed part of the United Kingdom, and nurses, teachers and other public sector staff have been forced to pay, at least in part, for the pay rises they have been given. Money that they have been given through pay rises has been taken away through more tax. That is happening at a time when Scotland badly needs to attract more public sector workers to deal with the horrendous staffing shortages that have developed in the NHS and schools in the past 10 years. The UK Government and the devolved Administration should do as much as possible about that.

Let me make one more point about tax, which is a topic that generates lively conversation across the Chamber and will—and should—continue to be debated during this Parliament. The tax increases in Scotland, which were meant to be a progressive move, deliver only 38p more per week for those on the lowest incomes. That is not progressive; it is pathetic. It shows the contrast between the UK Administration and the SNP Administration in Edinburgh: the SNP does not have a grip on our public services in this day and age, and plenty of people in Scotland are being disadvantaged as a result. The UK Government have shown that it is possible, through a strong economy, to give public sector workers a sustainable pay rise without them having to pay for it through increased taxes.

Chris Stephens: Can I bring the hon. Gentleman back to reality? Each and every UK Government Department has budgeted for a civil service pay rise of 1%. The Scottish Government have taken a different approach. Does he not acknowledge that in reality the public sector pay cap is still in place for employees who work for the UK Government?

Luke Graham: I will not speak for the Minister, who I am sure will cover this, but the pay rises of 6.5%—plus in the NHS are being fully funded. I am sure that as recommendations from other pay review bodies come through, they will be funded, too.

Chris Stephens rose—

Luke Graham: I am sorry; I am finishing. I am sure the Minister will come back on that. The simple point is that the public sector does deserve a pay rise. It should be one that is sustainable but one that we constantly review. I 100% agree with the Government’s more flexible approach. We should maintain those public sector pay rises and always ensure that, especially as the Government go into more challenging circumstances and we try to be truly global Britain, public sector pay and the packages that surround it are just as attractive and rewarding as every private sector role, no matter where in the United Kingdom.

Several hon. Members rose—

Albert Owen (in the Chair): Order. Four Members are indicating that they wish to speak. I will bring in the Front Benchers at half-past three, so if Back Benchers take about seven and a half minutes each, they will have equal time.

3.1 pm

Grahame Morris (Easington) (Lab): Thank you for your courtesy, Mr Owen. It is a pleasure to serve under your chairmanship. I thank my good friend the hon. Member for Glasgow South West (Chris Stephens) for securing this timely and important debate and for setting out with such clarity the arguments on public sector pay and properly funding the Departments. He did a fantastic job.

During the Whit recess I visited my local HMRC tax office in Peterlee. I thank Linda Hughes, the full-time officer, and the Public and Commercial Services Union local branch reps and local management for facilitating my instructive visit. Valuable work is done at the office in Peterlee, but it is threatened with closure. Almost 500 workers will be relocated, some temporarily to the Washington office, and some will face a considerable additional commute to Newcastle, where jobs are to be centralised, if they want to maintain their employment.

The purpose of my visit was to listen to the concerns of PCS members—the employees—but I saw in the office on the PCS noticeboard a sample of the figures for workers who had lost income because of Government pay restraint. On average, they had lost about £3,000 a year directly as a result of the imposition of the civil service pay cap. Perhaps if the Minister were to visit my constituency and meet some of the workers, he might understand the value of public sector workers and consider paying them properly.

Since the economic crash in 2008, public sector workers have been subject to unjustifiable pay constraint policies designed to make them pay for a financial crisis not of their making. A Government Back Bencher said earlier that that had made a substantial contribution to deficit reduction, but surely if we properly funded Departments—HMRC in particular—we could have achieved that deficit reduction through many other avenues, not least closing tax loopholes and making individuals and corporations who are avoiding their taxes pay their fair share.

Chris Stephens: Does the hon. Gentleman share my frustration that there are 4,000-plus employees chasing DWP social security fraud, estimated at £1.2 billion, and in HMRC’s wealth unit there are fewer than 500 employees chasing tax avoidance of £70 billion?
Grahame Morris: The hon. Gentleman is correct. I hope the Minister reflects on that and applies resources appropriately so that we can recover for the Treasury the maximum revenue from those who are avoiding paying their fair share of tax.

Luke Graham: Will the hon. Gentleman give way?

Grahame Morris: I will. I cannot refuse the hon. Gentleman as he gave way so many times.

Luke Graham: I thank the hon. Gentleman. I acknowledge that there is still work to be done on our tax code, but does he recognise that since 2010 a number of measures have been brought in to close tax loopholes, which have yielded some £5 billion in extra tax returns and tax revenue?

Grahame Morris: I recognise that efforts have been made to close the tax gap, but the publication of the Panama papers and various revelations indicate that it is much larger than had been previously estimated. In my humble opinion, it is counterproductive to get rid of skilled and experienced tax collectors employed at offices such as Peterlee in my constituency who have expertise in this field. We would be better off retaining that expertise and allowing those collectors to get on with the job we have trained them to do.

The imposition of pay restraint has compounded issues raised by the hon. Member for Glasgow South West and my hon. Friend the Member for Liverpool, Walton (Dan Carden) such as the generational pay gap and equal pay. The system includes discriminatory practices nearly 50 years after the Equal Pay Act 1970 and any Government should be ashamed that such problems are still evident.

It is clear from independent research undertaken by the Centre for Labour and Social Studies on behalf of the PCS that any increases in public sector pay would have to come from the resource departmental expenditure limits—the departmental budgets for current spending. It is disingenuous of Government to suggest that pay claims—even those recommended by independent pay review bodies—will be funded when the departmental expenditure limits do not reflect those awards. Departments as a whole will therefore suffer real-terms cuts to their resource departmental expenditure limits up to 2020. That falls way short of what is needed for a 5% nominal pay rise in the current year, and it fails to accommodate annual pay rises of 1%.

Given current projections of departmental expenditure, the research concludes clearly that any pay rise for public sector workers across listed Departments would have to come from cuts to jobs or to public services. It is a great deception. We must be careful with our language in terms of deliberately misleading anybody, but we should be straight about this. It is a cause of instability to promise constantly that the public sector pay cap is temporary when it is applied year on year. Eight years down the line, we still have effectively a public sector pay cap. In that time, prices have risen by 22%, but public sector pay has risen by just 4.4%. Wage freezes and the Government’s pay cap have lasted throughout that time, bringing financial misery to public service workers and their families and causing huge damage to services.

Rachael Maskell: Will my hon. Friend give way?

Grahame Morris: One last time, and then I will draw my remarks to a close.

Rachael Maskell: Does my hon. Friend recognise that many public servants have been down-banded and as a result given up more money and experienced even more detriment than that from the increases of only 1%?

Albert Owen (in the Chair): I call Grahame Morris to wind up.

Grahame Morris: I will be quick. Mr Owen, I agree with my hon. Friend the Member for York Central (Rachael Maskell). There have been numerous surveys. A recent one by Unison showed that almost 73% of respondents have had to borrow money from family and friends to get by. We know anecdotally about civil servants using food banks, and workers in my constituency are struggling to support themselves and their families. I do not think we can run public services on the backs of poorly paid public sector workers. Something must be done to lift the cap and properly fund Government Departments.

3.9 pm

Julian Knight (Solihull) (Con): It is a great pleasure to serve under your chairmanship, Mr Owen. I congratulate the hon. Member for Glasgow South West (Chris Stephens) on securing this important debate.

Let us first get something straight about the British civil service in devolved Administrations and in England and Wales. According to the international civil service effectiveness index, this country is fortunate to have the finest civil service in the world. Sometimes in our surgeries we have little problems come to us, but we have to realise that for every situation we see, things might not be so bad and there are thousands of cases that civil servants get right and the decisions made are in many instances spot on. Compared to many other countries, as we travel around the globe and become involved in political discussion with people from other nations, the UK civil service is incredibly honest and has a code of ethics that is an example to the world. It is important to recognise that fact here today.

Over the past decade both Labour and the Conservatives have had to make difficult decisions about how to prioritise public spending while reducing the deficit. However, we are now in a position to lift the pay freeze and make the investment needed to help the service maintain its world-leading position.

According to the Treasury, roughly £1 in every £4 of public spending is spent on pay. After the crash, therefore, politicians of all parties, including Labour and the Scottish National Party, recognised that restraints on public sector pay had a necessary role to play in bringing the deficit under control. That was absolutely the correct choice to make at that time. We have to put this into context. A GDP debt of 11% is enormous. We can cope with that for a year or two, but not for a sustained period. We have to get it under control. If we do not, the markets go against us, the country ends up borrowing at far higher rates of interest, and we end up going down the road of Greece and Spain where we have seen public sector pay actually cut: I do not mean in real
terms, but actually cut by up to 40%. People’s old-age pensions and fixed pensions were cut at the most vulnerable time.

Julia Lopez: Will my hon. Friend give way?

Julian Knight: I will give way, although I am conscious of the time.

Julia Lopez: I thank my hon. Friend for giving way. I totally agree with him. Although there has been a public sector pay cap over the past years, that does not tell the whole story. Does he agree with me that across much of the public sector during those years, pay increased automatically with every year served because it had been contractually agreed before the cap came into force? Also, staff could move between bands, so it is not the case that there was completely flat pay. It is more nuanced.

Julian Knight: My hon. Friend makes a fair point, but it is right and proper that the Government now take into due consideration the independent pay review bodies so that the 1% cap is dispensed with over time. However, I take my hon. Friend’s point in its entirety.

Rachael Maskell: Will the hon. Gentleman give way?

Julian Knight: I am really conscious of the time. I apologise.

Not only must the public sector modernise to keep pace with the evolving needs and expectations of modern Britons but it is absolutely essential that the civil service is equipped to take on the new responsibilities that will fall to the Government as we exit the European Union. It is worth remembering that the pay freeze has allowed public sector managers facing tough budget constraints to save jobs. I have a problem with the statement made by the hon. Member for Glasgow South West. If Departments pay more than 1%, there will be job losses. In fact, if there had not been pay restraint, we would have had more job losses. The point is that that pay restraint meant we were able to keep more people in employment. That is an important point to make. Many people in the public sector have taken that very much on board, but I know that over time patience has worn thin. I will make one other point about the hon. Gentleman’s speech. I imagine the 200-plus pay negotiations are inefficient, and I want to convey that to the Minister today.

Of course, the purpose of austerity is always to return the public finances to a point where we can safely and responsibly start making the investments that Britain needs, and I am glad that the Government are now in a position to reconsider the public sector pay freeze. Nor is pay the only way in which Ministers are investing in civil servants. Providing modern working environments, clear career pathways and strong development support is as important to attracting and retaining the best people as competitive pay.

3.16 pm

Stephanie Peacock (Barnsley East) (Lab): It is a pleasure to serve under your chairmanship, Mr Owen. I congratulate the hon. Member for Glasgow South West (Chris Stephens) on securing this important debate and commend him on his work in championing workers’ rights.

It is particularly relevant, as we celebrate 150 years of the Trades Union Congress, to mark the vital work that our trade unions continue to do in fighting for the rights and pay of public sector workers across the country. On this note, I refer members to my entry in the Register of Members’ Financial Interests and I declare an interest as a proud member and former officer of the GMB trade union.

We have heard about the impact that the Government’s damaging pay cap has had on our incredible and hard-working public sector staff in the civil service and beyond. The Government decided to make cuts off the backs of committed staff who are vital to keeping our public services up and running, and that has continued for far too long. I want to describe the impact that the pay cap has had in my constituency of Barnsley East.

Average wages in Barnsley are around 10% less than the national level. Child poverty is significantly higher and social mobility is much lower than the UK’s average. For years now, the pay cap has forced even greater strain and pressure on an area that often finds itself struggling to get by. As a former teacher myself, I know the impact that that can have on the frontline. Inflation results in real-terms pay cuts. Staff struggle to get by and morale reaches rock bottom. It is no surprise, therefore, to see an exodus of public sector staff.

Between 2010 and 2016 the Yorkshire and Humber region lost around 47,000 public sector employees. That is 9% of the total public sector workforce in the region, and it is much higher than the UK average loss. We have seen a retention crisis in our schools as teachers leave in droves. More and more crucial posts in our NHS services are going unfilled.

Afzal Khan (Manchester, Gorton) (Lab): My hon. Friend is making an excellent speech. The new pay deal for NHS staff is a rise of 3% next year; and for the following two years it is 2% and 1%. If inflation continues as it is now, that will effectively be a pay cut for NHS workers. Does she agree that that will make the situation worse?
Stephanie Peacock: I do agree with the very important point that my hon. Friend makes. My mum worked in the NHS for nearly 40 years and she has seen the impact that the cuts have had on the frontline. It is not only our NHS that is affected. Our local police forces are doing their absolute best with what they have, but numbers have decreased considerably. Right the way through our region and locally in Barnsley, public sector workers have been forced into leaving the sector as their pay packet does not stretch as far as it did and their morale is not as high as it was.

The public sector pay cap is not the only reason for the exodus, but there is no denying that it is a considerable part. Importantly for an area such as my own where times are already hard enough, the cap impacts not only on the employees, but on the services as a whole. As talented, committed and hard-working staff leave, our public services suffer. In my area of Barnsley, much like in the rest of the country, the pay cap is an attack not just on workers, but on our vital public services that they help to provide.

3.19 pm

Hugh Gaffney (Coatbridge, Chryston and Bellshill) (Lab): It is a pleasure to serve under your chairmanship, Mr Owen, and I thank the hon. Member for Glasgow South West (Chris Stephens) for securing this debate.

There has been a public service pay freeze for seven years, held at 1%. Now the Government say there can be a pay rise, but only according to budgets, and it may damage the Chancellor’s Treasury plans. Already the Government are playing worker against worker, telling some workers they can have a pay rise, but others they will need to wait.

When the word “budget” is used, what we are really saying is “job losses”. We have already seen what happens when job losses are created: for those staff who can keep their jobs it creates more work and pressure, and they are told, “Be grateful you have a job.” Is it any wonder that stress levels and illness at work have multiplied? The trade unions are right to ask for a bigger rise. It is not as high as it was.

In conclusion, public sector workers need a decent pay rise, not a token gesture. They should not be used as the bargaining chips of austerity. They do us proud as public workers, they protect our public services and they stop the private profiteers.

Albert Owen (in the Chair): I remind Members that the debate will finish at 4pm, but the Minister has agreed to give a couple of minutes at the end for the hon. Member for Glasgow South West to wind up.

3.21 pm

Neil Gray (Airdrie and Shotts) (SNP): I am in awe at my constituency neighbour, the hon. Member for Coatbridge, Chryston and Bellshill (Hugh Gaffney), for enabling us to have more protected time for the Front-Bench speeches, given what you said earlier, Mr Owen. It is a pleasure to take part in the debate with you in the Chair, and I must add my congratulations to those given by others to my hon. Friend the Member for Glasgow South West (Chris Stephens) on securing this debate, and on his detailed and passionate speech. My hon. Friend’s advocacy in this place and his previous trade union role, as has been acknowledged in the House already, make him ideally suited to lead such a debate. My wife is a local authority primary school teacher and is therefore impacted by public sector pay policy, although, thankfully, not that of the UK Government.

My hon. Friend the Member for Glasgow South West made a valid point regarding the ability of the UK Government to adhere to the Equal Pay Act 1970 when they are engaged in 200 pay negotiations, and the hon. Member for Solihull (Julian Knight) expressed his alarm at such a notion. My hon. Friend also highlighted the incredible statistics on low pay in the Department for Work and Pensions—the irony is not lost, I am sure—and the proportion of staff receiving tax credits. The fact that those workers will now be under additional universal credit conditionality from their own employers represents an incredible state of affairs.

A public sector pay rise, as outlined by my hon. Friend, is helpful for the economy and the private sector, as well as providing workers with the ability to enjoy a fruitful existence. When we add the fact that we are living through the worst decade for pay growth in 210 years, that is a major concern. My hon. Friend also touched on low pay and the situation in Scotland, and the more generous Scottish Government pay offer. He made a good, detailed and passionate speech, and I commend him for that.

I was reprimanded by you, Mr Owen, for jousting during the speech of the hon. Member for Ochil and South Perthshire (Luke Graham). He made a point about the need to end pay restraint. Of course the Scottish Government were the first in these isles to lift the pay cap and fund the pay offer to the workers for whom they are responsible, and the hon. Gentleman appeared to support my call for the Treasury to fund Departments to bring about an end to the 1% cap. I look forward to his next appearance at Treasury questions when he will make that strong point to the Chancellor. He also spoke about the 6.5% pay offer to the NHS in England. That, of course, is spread over three years—a point that has already been made from the Labour Benches. I am sure that the hon. Gentleman was not trying to suggest that that offer is comparable to the 3% being offered on an annual basis in Scotland. My point about the 1% pay differential between England and Scotland is that it includes those in band 1—the lowest paid as well as those in higher brackets.

The hon. Member for Easington (Grahame Morris) made a good speech, advocating for the Treasury to fund an end to 1%. He also talked about the apparent temporary nature of the pay cap. He was right to say that where the UK Government, not the Scottish Government, have responsibility, the pay cap is in effect still in place.

The hon. Member for Solihull also made a good speech. He was right to say that civil servants in Whitehall and across these isles are incredibly talented and do a fantastic job. He also appeared to acknowledge that pay restraint should have been temporary—and should have ended. I challenge him, as I did the hon. Member for Ochil and South Perthshire, to challenge their Treasury colleagues to fund UK Departments to end the 1% cap.
The hon. Member for Barnsley East (Stephanie Peacock) spoke from experience, as a former teacher and also given the impact of public sector pay restraint in her area. What she said was absolutely right. My constituency neighbour, the hon. Member for Coatbridge, Chryston and Bellshill, made a typically impassioned, if pithy, speech, and we were grateful for his contribution.

As has been alluded to, we have made a far more generous offer in Scotland to our fantastic public servants. We look to reward them for the work that they do for us all. To tackle low pay, the Scottish Government have committed to paying the real living wage of £8.75 an hour, as opposed to the UK Government’s minimum wage premium of £7.83 for over-25s and their minimum wage of £7.38 for those between 21 and 24, £5.90 for those between 18 and 20, and £4.20 for under-18s. This year they have also offered a graduated pay rise starting at 3% for workers earning up to £65,500. That rise will benefit three quarters of all public sector employees in Scotland.

Luke Graham: I praise some of the devolved Administration’s moves to make sure that there is correct funding for people on lower incomes, but does the hon. Gentleman recognise that the national living wage was brought in by a Conservative Government and it would not exist otherwise? As well as criticising, he should give a little praise, too.

Neil Gray: My problem with the so-called national living wage is the fact that it is not national, because it is not available to under-25s, and it is not a living wage, because it does not get near the real living wage. Its branding was clearly an attempt to make it look as though it were the real living wage; that is massively problematic. I acknowledge that it is a large pay increase for some, but not all, of those on the minimum wage. It is important for the UK Government to acknowledge the fact that under-25s in particular are still being penalised.

Luke Graham: Will the hon. Gentleman give way?

Neil Gray: Mr Owen has already reprimanded me for jousting during the debate and has indicated that I should wind up. [Interruption.] By all means I shall give way to the hon. Member for Solihull.

Julian Knight: While the hon. Gentleman is being so generous and giving such fulsome praise, will he also be generous in recognising that the Government and the coalition Government raised the personal allowance to £10,600 so that the very lowest incomes rose—

Luke Graham rose—

Julian Knight rose—

Neil Gray: Mr Owen has already reprimanded me for jousting during the debate and has indicated that I should wind up. [Interruption.] By all means I shall give way to the hon. Member for Solihull.

Julian Knight: While the hon. Gentleman is being so generous and giving such fulsome praise, will he also be generous in recognising that the Government and the coalition Government raised the personal allowance to £10,600 so that the very lowest incomes rose considerably?

Neil Gray: I have already stated—this is probably for another debate—that interventions in the tax system are not the most efficient way of targeting people on low incomes. A far more efficient and effective way of targeting them is to ensure that they have a proper quality of life would be to increase the rates of the work allowances of universal credit and tax credits. [Interruption.] I think we have said enough on that, and perhaps it is a debate for another day.

The Scottish Government have protected public sector jobs and services for the people of Scotland by delivering on our promise of no compulsory redundancies and an affordable public sector pay increase that reflects the cost of living. It is difficult to compare the pay offer with that in areas for which the UK Government have responsibility, because there is not the same universal pay offer as there has been in Scotland, as outlined by my hon. Friend the Member for Glasgow South West. We see a piecemeal approach from the UK Government, because Treasury Ministers have consistently and belligerently refused to fund a public sector pay rise for all UK Government Departments. That means it is up to individual Ministers to find the money to pay for awards from existing, squeezed budgets.

While this Government rightly praise our emergency services for their response to the likes of Grenfell or the various terror attacks, and they rightly and routinely praise NHS staff, teaching staff, prison officers, Jobcentre and tax office staff, and other public sector workers, they do not match that praise with fair reward. Hopefully, in the summing-up speech, we might finally find some movement from the Minister. The UK Government must follow the Scottish Government’s progressive lead when they publish their civil service pay guidance. They must fully fund an expansion in public sector pay, rather than just lifting the 1% restriction. If the UK Government agree that our public sector workers deserve a pay rise beyond 1%, they need to put their money where their mouth is, as the Scottish Government have done, and fund it.

3.31 pm

Christian Matheson (City of Chester) (Lab): It is a pleasure to serve under your chairmanship, Mr Owen. I offer my congratulations to my good friend, the hon. Member for Glasgow South West (Chris Stephens), who has been a consistent advocate against this disastrous policy. I also thank my hon. Friend the Members for Eastington (Grahame Morris), for Barnsley East (Stephanie Peacock) and for Coatbridge, Chryston and Bellshill (Hugh Gaffney), who have all given clear real-world examples of the effect of the public sector pay freeze.

The hon. Member for Ochil and South Perthshire (Luke Graham) and my good friend and, dare I say it, fellow Cestrian, the hon. Member for Solihull (Julian Knight) talked about the genesis of the public sector pay freeze policy, which dates back to the financial crash. I will simply make the point that it was not public sector workers who created the financial crash, but they are the ones who still have to live with the detriment of it, seven to 10 years afterward, while it took Wall Street and the City of London only a couple of years to get back on the big bonus trail. But we are where we are.

The slogan is, “A country that works for everyone”, although that slogan has not aged particularly well. The country is on its knees, facing the largest inequality and division since the 1980s and early 1990s. As we have seen with failures such as Capita, G4S and Carillion, commercial failure is rewarded with more public funding, while our public sector services at the sharp end are being taken for granted.

Luke Graham: Will the hon. Gentleman give way?
Christian Matheson: Just the once. The hon. Gentleman was very generous with his time, which is why I cannot be too generous with mine.

Luke Graham: Understood. I have a quick question: the hon. Gentleman said that inequality had increased and was the worst since the 1980s. Can he quote the source of that data, please? I would dispute it.

Christian Matheson: First, I do not necessarily trust the figures from the current Government, because they are well known for cooking the books, but I genuinely suggest that the hon. Gentleman comes down to any food bank—

Luke Graham: That is not answering the question.

Albert Owen (in the Chair): Order.

Christian Matheson: I suggest that the hon. Gentleman comes down to any food bank and finds out whether its recipients believe that equality is greater or worse.

The Government talk of lifting the public sector pay cap, but that is nothing more than a politically cute headline. After seven years of crippling pay freezes, the real-world consequences of the Government’s policies are half a million children of public sector workers in poverty, while Ministers have dished out a £70 billion tax break bonanza.

Afzal Khan: I want to make a point about the children. I have had many constituents come to me raising concerns about school assistant teachers. Some of them in the academies are earning £12,000—a poverty wage—while bosses routinely get salaries of £150,000. Does my hon. Friend agree that that injustice requires action and that we should look at instituting a maximum ratio for boss to worker pay in the public sector?

Christian Matheson: That would be a very interesting exercise, and we could certainly look at some of the sky-high pay for the bosses of some of the academy chains, but I will not go into the detail of that just now.

The problem with the modern Conservative party is that it is not at all modern. Old habits die hard. In addition to selling off public assets, they have now turned their attention to asset stripping our public sector workforce itself. As we know, the NHS is currently going through a mass exodus, with 10% of nurses leaving last year alone and over 100,000 vacancies across the service. The decision to scrap the pay freeze should have been made years ago. Landman Economics and the Trades Union Congress—I join colleagues across the House in paying tribute to the TUC on the 150th anniversary of its founding—estimate that there were real pay cuts and a loss of 13.3% between 2010 and 2018 for health and education workers, and 14.3% for public administration workers. Those figures have been reiterated by the Royal College of Nursing, which says that this has, “damaged the morale and finances of NHS staff”.

Having spoken to numerous public sector constituents living from pay cheque to pay cheque and having to choose between heating or food, I suggest that that is a polite understatement.

Dr Poulter: The hon. Gentleman makes a fair point. I draw attention to my declaration in the Register of Members’ Financial Interests in making this intervention, but there has been great reliance on agency and temporary staff in both the education sector and the NHS as a result of the failure to retain and recruit staff in many areas. Does he agree that improving the terms and conditions and the pay of NHS staff would help to address that and would improve NHS finances overall, and that it is a short-sighted Treasury that does not take note of that point?

Christian Matheson: The hon. Gentleman is very experienced in matters of health and the NHS, and I suspect that what he says has real merit. Frankly, there are private companies offering bank staff across the NHS and making a large amount of money that would be better spent on frontline services and on paying staff more than the 1% pay cap. I thank him for his contribution.

We have all heard the heart-wrenching stories of public sector staff having to work two jobs to pay their bills or having to use food banks just to eat. This is modern Britain, where our greatest national treasure and our most valuable assets are treated with the same contempt and disregard that tax-dodging conglomerates have for our country. The Chancellor agreed to a below-inflation pay increase for NHS staff of 6.5% over three years on the condition, “that the pay award enables improved productivity in the NHS”.

In real terms, that means forfeiting a day’s holiday each year for less money. Public sector workers have been cheated out of thousands, have had their pensions negatively affected and have now had their workload increased for less money.

If hon. Members visit any hospital, such as the Countess of Chester hospital in my constituency, they will see the NHS running on the goodwill of its staff. I know of health care assistants on wards who will work a 12-hour shift with barely a 10-minute break. They do that because they believe in what they are doing, but they are already working to maximum capacity and productivity, yet the Government still demand more to earn a pay rise that they have, in reality, already earned several times over. If hon. Members visit any school, where cuts still bite despite Government promises of more cash, they will find headteachers worried that any pay rise granted by the Government will have to be found from existing school budgets—the usual Conservative tactic of passing the responsibility on to someone else.

The hon. Member for Glasgow South West and my hon. Friend the Member for Easington referred to the study by the Centre for Labour and Social Studies on the terms of civil service pay rises. It is the same tactic. We have heard that the pay rise would have to come out of resource departmental expenditure limits for current spending; yet, as we have also heard, Departments as a whole will continue to suffer real-terms cuts to their RDEs up to 2020 and, of the principal Departments uncovered, only the Ministry of Defence will see an increase in this area of its budget. They made that point clearly, and it calls into question whether the Departments will be able to award pay rises of more than 1%; in fact, they might not even be able to raise that 1%.

Our police and prison service staff were offered a 1% increase and a 1% bonus, which will leave them with, yet again, a below-inflation increase. The chairman
of the Police Federation said that staff had been left “angry and deflated” and had experienced a 1.5% decrease in real spending terms compared to seven years ago. Prisoner numbers are up and are increasing by an average of 3.5% per year, while the number of frontline prison officers, who have been offered a below-inflation 1.7% increase, has remained static.

The pay cap may have been verbally ended, but there is no evidence of its ending in the real world. Take-home pay, in real terms, has not increased. The quite shocking reality is that less than 4% of public sector workers will benefit from the Government’s decisions last September, and no further spending or new money has been made available in the autumn or spring Budgets. What makes one part of the public sector more worthy of being paid fairly than another? Even if the pay cap was genuinely lifted, it would not make up for the loss of thousands of pounds in the past—and indeed in the future, as a knock-on of the pay freeze now. One advantage of the pay cap is that, by keeping wages low, it makes it easier for parts of the public sector to be privatised, and for the private sector to make bigger profits off the back of low-paid but hard-working employees.

I will finish on a point also made by the hon. Member for Glasgow South West, first about pay in the private sector. For many positions in the private sector, public sector roles and pay increases are used as a comparator. Squashing public sector workers’ pay keeps some private sector pay deals flat as well. By crushing the pay of some million public sector workers, billions of pounds of spending power is taken from the private sector, which then pays the taxes to support public services. The pay freeze is therefore not just unfair—it is bad economics.

For the record, I will wind up by suggesting that the next Labour Government will lift the public sector pay cap for all public sector workers. We demand nothing less from this Government. In “Funding Britain’s Future”, Labour set aside a costed £4 billion to ensure that every public sector worker will get an above-inflation pay rise. The pay review bodies have been operating under the constraint of a Tory 1% cap for eight years. The quite shocking reality is that, by keeping wages low, it makes it easier for parts of the public sector to be privatised, and for the private sector to make bigger profits off the back of low-paid but hard-working employees.

The starting point has to be the role of civil servants. I know from my experience—both recently as a Cabinet Office Minister and in the five years I spent in Downing Street as an adviser—the standard of our civil service. I have worked with some of the most genuinely committed, talented and hard-working public servants in our country, and I pay tribute to every one of them. At a time when our country faces many challenges, not least how we deliver Brexit, we can rely on our civil servants to help us. I see that every day in my role as a Minister, whether in the groundbreaking work of the Government Digital Service or the critical work of our civil contingencies team. Day in, day out, I see the tremendous quality of the work that they deliver.

The starting point for me and the Government is that all civil servants deserve to be rewarded for the work that they do, so that we can attract the brightest and the best. At the same time, that has to be balanced against the wider constraints faced by our public finances. I will set out some context. The shadow Minister spoke about who caused this situation, so let us remember. When we came into government in 2010, the UK had the largest deficit in its peacetime history. We were borrowing £1 for every £4 or £5 that we spent. Who caused that? It is quite clear: the last Labour Government. We had to deal with that legacy.

In that context, I make no bones about the fact that we had to take some very difficult decisions. As has been said by many hon. Members, including my hon. Friend the Member for Solihull (Julian Knight), one of those difficult decisions, given the proportion of public expenditure accounted for by public sector pay—about a quarter—was that public sector pay had to be restrained, which is why we introduced a pay freeze for the first two years of the Parliament, followed by the 1% pay cap.

**Christian Matheson:** I am most grateful to the Minister for giving way; I will only intervene once. If what he says is the case, can he explain how the last Labour Government were responsible for the crash of the sub-prime mortgage market in the United States, which caused the crash here?

**Oliver Dowden:** The problem was that the last Labour Government did not fix the roof while the sun was shining. We entered this situation as the least well prepared of any G7 country, so that when we faced those challenges, instead of having a robust fiscal situation, we were already borrowing.

**Chris Stephens:** I want to deter the Minister away from this Tory buzzword bingo, so will he explain to us what that has to do with public sector pay?

**Oliver Dowden:** Forgive me; I thought I made that very clear at the beginning. When we inherited such an enormous deficit, we had to constrain public expenditure. I given that public sector pay accounts for a quarter of public expenditure, public sector pay had to play its part. That is why we initially introduced a freeze, followed by a 1% cap from 2013 to 2017.

Those were difficult decisions, and I genuinely pay tribute to all our civil servants who had to live within that constrained pay deal. However, it is worth making a few points in relation to that. The First is that the median civil service salary has increased by 15% since 2010,
which is actually the same as in the private sector. Indeed, it is greater than other parts of the public sector.

Many hon. Members also raised the gender pay gap, which is important. Clearly, more progress needs to be made, but again it is worth looking at the figures. The pay gap for full-time employee civil servant salaries is 7.2% for the mean salary and 11% for the median. That compares with 13% and 15.4% in 2008, so we are making progress, but I do not deny that we need to progress further.

Dr Poulter: Adjusted for age, sex and other determinants, the pay gap is actually about 3%. I am sure my hon. Friend will want to clarify that point.

Oliver Dowden: I thank my hon. Friend for that helpful intervention; I am absolutely sure that he is correct.

Inequality was also raised, but again let us look at the actual figures. Income inequality is down since 2010, and is lower than at any point under the last Labour Government, so let us start with the facts of the situation. Not only that, but we have helped the lowest paid. For example, when the freeze was introduced, we ensured that anyone earning under £21,000 received at least a £250 increase in their pay.

In addition, as many of my hon. Friends have mentioned, we introduced the national living wage, the effect of which has been to benefit more than 2 million people, leaving them more than £2,000 better off since its introduction. As a result, figures from the last two years show that the lowest paid in our labour market received pay rises almost 7% above inflation, and many of those who benefited were our lowest-paid civil servants. Indeed, the overall picture shows the salaries for junior grades of civil servants remaining comparable to private or public sector equivalents, and in total remuneration both administrative assistants and administrative officers—the lowest paid in the civil service—are paid more than their private and public sector equivalents in London.

Julia Lopez: My hon. Friend is making a strong case for the reasoning behind the Government’s decisions. However, many of us are concerned that we are now seeing false economies. For instance, restraining public sector pay is leading to increases in agency costs and a loss of talent, which has reduced productivity in some sectors. We now need to look at what those costs are. What analysis has he done of those costs versus the costs of increasing pay?

Oliver Dowden: My hon. Friend is absolutely right, and in a moment I will come to the fact that we have actually lifted the 1% pay cap across the board.

However, I will make one further point on the measures the Government have taken to help the lowest paid—and, indeed, all workers. I am referring to the increase in the personal allowance. When we came to power in 2010, the personal allowance—the tax-free allowance—stood at £6,475. It now stands at £11,850. That is near enough a doubling, and it means that any basic rate taxpayer will be more than £1,000 better off compared with 2010. Through a combination of ensuring that we have a national living wage and tax cuts, we have ameliorated many of the impacts of the necessary public pay constraint, which we had to introduce. In addition, we have frozen fuel duty, saving the average driver £850 compared with pre-2010 plans.

Neil Gray: The Minister has stated that the Government have ended the 1% pay cap, but he has not yet argued for the Treasury fully to fund that for Departments, so perhaps he can explain this point to the House. If he advocates an end to the 1% cap, what percentage pay rise does he think would be acceptable to our public sector workers, and will he argue with his Treasury colleagues to see that properly funded for all Departments?

Oliver Dowden: The hon. Gentleman talks about the Treasury paying for it. The Treasury does not have any money of its own. It gets money only in three ways: it taxes people, borrows or cuts spending elsewhere. We need to be honest about where the money will come from to pay for any rise.

I will come on to it in a moment, but briefly, we set this out in the spending review; we budgeted for a 1% pay rise across the board. We have now removed the requirement for a 1% rise. That creates two further opportunities. The first is that there will be flexibility, if further efficiencies can be found, to further increase pay, above 1%. In addition, if there is a significant change in working practices that can justify a significant pay rise, a full business case can be made, and that will allow the funding of a larger pay rise.

Chris Stephens: The Minister now appears to be suggesting to the House—I just want to double-check what I heard him say was what he said—that each Department has budgeted for 1%. If that is the case, surely those of us who are arguing that the public sector pay cap has not ended or been lifted are correct. Is that the case, Minister?

Oliver Dowden: The cap has been removed; it is no longer the requirement that public sector pay rises be limited to 1%. The situation in the spending review was clear: there was a budget for a 1% rise. If Departments wish to go further than that, they need to find efficiency savings. My right hon. Friend the Chancellor of the Exchequer was perfectly clear about that in the autumn Budget.

My final point in relation to the overall terms and conditions for civil servants is about the amount of pension contribution that is made. This point was made by my hon. Friend the Member for Ochil and South Perthshire (Luke Graham). If we look at the figures, we see that for a civil servant on the median salary of £25,900, the Government provide £5,400 in pension contribution. That is the equivalent of an extra 23% on their basic pay and it is something that is not available to most people working in the private sector.

Difficult sacrifices have been made, but as a result we are finally starting to live within our means. Rather than borrowing £1 for every £4 we spend, we are borrowing £1 for every £10. That means that we are still living for a lower rate taxpayer, although that does not mean that we
can suddenly fund huge increases in public sector pay. My right hon. Friend the Chief Secretary to the Treasury made it clear in September that the across-the-board 1% cap would be lifted. That means that the Government are no longer pursuing a one-size-fits-all policy for public servants.

In 2016, the Government set out five priority areas in the “Civil Service Workforce Plan”. Those areas are expected to have the greatest impact on readying the civil service workforce to respond to the challenges that the United Kingdom will face now and in the years to come. One priority is a commitment to develop cost-effective and flexible reward structures that enable the civil service to attract, retain and develop the very best talent within the pay systems in place.

In practice, there are two elements to civil service pay. I am sure that many hon. Members will be familiar with this, but I will set it out briefly. The pay of senior civil servants, who make up 1% of the civil service, is subject to an independent pay review body process, which is conducted by the Senior Salaries Review Body. Its 2018 recommendations are expected later this month, and we will respond to them in due course.

The second and by far the larger group, and the group to which most hon. Members were referring, is the rest of the civil service. Its pay and grading arrangements have been delegated to Departments and agencies since 1996. The effect of that, which hon. Members touched on, is that each Department makes decisions. As has been alluded to by the hon. Member for Glasgow South West, I continue to discuss this with the PCS, but the flexibility that it gives us is that it enables each Department to determine its own pay levels so that it can meet the needs of its own Department.

The 2018-19 pay remit guidance, which will set out the overall parameters for any future pay deal, will be published shortly. It will provide the range of average awards available to Departments, but it is for each Department to decide how to structure its pay award, and those decisions will be made in the light of their own priorities and affordability and must be discussed and negotiated with their trade unions.

Chris Stephens rose—

Oliver Dowden: I am conscious of time, but I will give way briefly to the hon. Gentleman.

Chris Stephens: The Minister has been generous. Could he just answer this one question? He and the PCS have had some discussion about addressing the 200 sets of pay negotiations. Is it his intention to continue that discussion to look at whether that is actually an adequate way of funding civil service pay?

Oliver Dowden: The hon. Gentleman makes an important point. As he says, I have both discussed and corresponded with the representatives of the PCS on this. I will continue that discussion; I remain open-minded on it, but the point I am making is that one has to balance against that the flexibility that allows each Department to tailor to its own needs. I agree that there is an issue about 200-plus sets of negotiations, but hon. Members will understand that there was a reason for that in the first place.

I should move towards a conclusion in order to give the hon. Member for Glasgow South West an opportunity to respond. I genuinely am confident that as we approach the 2018-19 pay remit guidance, we will continue to strike the clear balance between an appropriate reward for hard-working civil servants and the need to live within our means as a nation, so that we do not continue to borrow more and load up more debt that will burden our children and grandchildren.

Chris Stephens: I thank everyone who has contributed to the debate. It has been a good-natured but serious debate, an excellent debate, on behalf of the civil servants who work right across these islands. We should commend them for the work that they do across all Departments.

The purpose of these debates is to test the Government and to test policy, and I think that what we have discovered again this afternoon is that each and every Department has budgeted for 1% pay rises. That suggests that the public sector pay cap has not ended. I hope that the Minister will commit to negotiating to see the end of the public sector pay cap. Civil servants were not responsible for the economic crash 10 years ago and should not be suffering for it. I hope that the Minister will address low pay in every single Department, because that is of very real concern to many Members of this House.

Question put and agreed to.

Resolved.

That this House has considered public sector pay policy.
Conflict in South Sudan

[SIR GRAHAM BRADN in the Chair]

3.59 pm

Nic Dakin (Scunthorpe) (Lab): I beg to move, That this House has considered the conflict in South Sudan.

It is a pleasure to speak in this debate under your chairmanship, Sir Graham. I thank my colleagues from the all-party parliamentary group for Sudan and South Sudan, as well as Will Archer, who provides the secretariat, for their hard work to raise issues of peace, social justice and human rights in both countries. I would like to use my time in this short debate to set the scene of the horrific conflict in South Sudan and urge our Government to stay the course of peace in the world's newest state.

In the world of international crises, competition to be the worst humanitarian catastrophe is tough, to say the least. According to the UN, today we have the worst refugee crisis in the world since Rwanda in Syria, the worst humanitarian crisis in 50 years in Yemen and the worst man-made disaster in the world in Myanmar. There is the return of Ebola in the Democratic Republic of Congo, the renewed bloodshed led by child soldiers in Central African Republic, and the growing African slave trade in Libya. Yet sadly, in the grimmest competition of all, South Sudan is up there with the worst.

John Howell (Henley) (Con): Will the hon. Gentleman join me in welcoming the announcement in the last few hours that the President of South Sudan and the rebel leader have agreed to meet for talks to try to restore the 2015 peace negotiations?

Nic Dakin: That is good news, indeed. We all need to work together to help peace to prevail. Sadly, in the history of South Sudan, we have been here before. That is not a reason for us not to make better progress this time. I know the Minister is focused on this issue, because I have heard her speak on it many times. She will want to ensure that the British Government do everything they can to encourage a positive process.

Born in 2011 after decades of conflict with Sudan, South Sudan became the world’s newest country and a beacon of hope for post-conflict societies. The eyes of the world watched as a brand-new state was formed with the help of millions of dollars from the international community. Barack Obama said proudly at the time, “Today is a reminder that after the darkness of war, the light of a new dawn is possible.”

Sadly, the jubilant scenes of July 2011 quickly faded into violence. In December 2013, conflict erupted between warring factions of the Sudan People’s Liberation Movement party, quickly escalating into a national crisis, which divided communities along ethnic fault lines. The regional Intergovernmental Authority on Development—IGAD—brokered a peace deal in 2015, to which the hon. Member for Henley (John Howell) alluded, but by July 2016 conflict had kick-started again and the last two years have seen escalating violence and tensions across the country.

Dr David Drew (Stroud) (Lab/Co-op): My hon. Friend knows I have a passionate interest in the country. One sad aspect of this is that while some said that once the south got freedom, peace would ensue, what happened was, of course, anything but that. Those who did not help by outside intervention ought to hold their heads in shame. It is about time the world community focused back on this bedevilled nation.

Nic Dakin: My hon. Friend has had a strong, passionate commitment over many years to the situation in South Sudan, speaks with great perception and is to be listened to.

Humanitarian statistics rarely tell the whole story of a conflict, but the latest figures coming out of South Sudan are truly staggering. Some 1.8 million people are internally displaced, with a further 2.4 million seeking refuge in neighbouring countries. That is over a third of the country’s population forced to flee their homes, with 85% of those fleeing being women and children. South Sudanese refugees can be found in Uganda, Kenya, Sudan and Ethiopia. It is testament to the horrors of the conflict in South Sudan that refugees are also seeking safety in countries ravaged by their own civil wars, such as the DRC and Central African Republic. At various points in the conflict, the Bidi Bidi camp in Uganda was receiving more than 1,000 refugees every single day. Now covering an area bigger than Birmingham, it is the largest refugee camp in the world.

We all remember the famine that spread through east Africa last year and the remarkable response from local NGOs, aid agencies and ordinary people in the UK who gave money to the fundraising appeal. This year the UN predicts that famine will return and food insecurity will be greater than last year, with starvation being used as a weapon of war.

Stephen Kerr (Stirling) (Con): I congratulate the hon. Gentleman on bringing this issue to Westminster Hall. I have the good fortune to have in my constituency the headquarters of The Leprosy Mission Scotland. With other partners in The Leprosy Mission International, it is doing tremendous work in South Sudan in incredibly difficult circumstances, which the hon. Gentleman is highlighting in his powerful speech. One aspect of its work is that the relief workers and aid workers are now themselves targeted for extortion and violence. What more can our Government do to protect these people and their good work, so that their influence can help in a very difficult situation?

Nic Dakin: The hon. Gentleman makes a good point, which I will pick up later in my speech. I am sure the Minister will want to come to it when she responds.

In statistical terms, more than half the population in South Sudan is facing severe hunger right now. The conflict has devastated educational infrastructure in South Sudan. Almost 1.2 million children aged between three and 18 have lost access to education because of conflict and displacement. Almost a third of schools have suffered attacks. The destruction of educational opportunities is trapping South Sudanese kids in inescapable cycles of poverty. An adolescent girl in South Sudan right now is three times more likely to die in childbirth than to complete primary school.

As ever in stories of conflict, women and children pay the highest price. A recent study from the International Rescue Committee and the Global Women’s Institute at Georgetown University revealed that more than 65% of
women and girls have experienced some form of gender-based violence. That is double the global average. The UN has found "massive use of rape as an instrument of terror". Amnesty International has reported sexual violence as "rampant". Those abuses are perpetrated not solely by fighters from the army or rebel groups, but by UN peacekeepers and sadly, on some occasions, by aid workers too. For women in places such as South Sudan, there are few safe places left. It is no surprise that a report from Plan International last week revealed that one in four South Sudanese women has considered suicide.

South Sudan also holds the grim title of the most dangerous place in the world to be an aid worker, as the hon. Member for Stirling (Stephen Kerr) pointed out. While delivering life-saving assistance to 5.4 million people in South Sudan in 2017, 30 aid workers were killed. Their work is routinely obstructed by both Government and opposition. Aid workers are intimidated, supplies are looted and arbitrary fines are applied to those seeking to travel around the country.

Through those statistics, we glimpse the horrors facing South Sudanese people, but I want to tell the story of a woman who lived in Malow village in the north-west of the country, as reported by the UN Human Rights Commission earlier this year. When the army of the Government of South Sudan arrived in Malow in July 2017, it destroyed the schools, the water points, the local hospital and even the local church. It abducted local aid workers and destroyed humanitarian compounds. The village had seen women with their eyes gouged out by soldiers as they sought to protect their children and mutilated men lying in the mud. This woman watched as her husband was castrated in front of her, trying to shield her new-born child from the violence. Three Government soldiers then raped her 70-year-old mother and forced her 12-year-old son to have sex with his grandmother at gunpoint. This is a truly horrific, true tale. The soldiers later shot her mother, and the new-born child and her husband would later die from their injuries. The report makes for very grim reading as it details countless tales of brutal violence from all parties to this conflict, inflicted on innocent civilians.

The violence led the Commission on Human Rights in South Sudan to draw some stark conclusions, of which two stood out for me. The first stated:

"Rape, mutilations of sexual organs and other forms of sexual violence, targeting girls, boys, women and men, are often committed in front of children".

The second stated that all parties to the conflict are "deliberately targeting civilians on the basis of their ethnic identity...Those acts constitute war crimes and crimes against humanity."

The South Sudanese people know better than anyone that the only sustainable route to preventing human rights abuses and providing security and prosperity is through peace.

I will now turn to the ongoing peace process, which the hon. Member for Henley gave us some encouragement about earlier, before asking the Minister a few questions about where we go from here. I acknowledge the commitment and skill of the Foreign and Commonwealth Office's South Sudan unit, which is ably led by the UK special envoy Chris Trott. It faces an incredibly difficult task, but the UK is rightly at the forefront of the international effort to promote an inclusive peace in South Sudan. The Intergovernmental Authority on Development, which is made up of regional Government representatives, has convened the high-level revitalisation forum in Addis Ababa since June 2017. Last month, the last round of those peace talks achieved little, with no sign of an agreement.

The cessation of hostilities agreement, which was signed in December 2017, has been repeatedly violated by all sides, and the monitoring mechanism that was set up to find and punish spoilers has failed to do so. As it stands, leaders on all sides of the conflict have refused to make the compromises necessary to make peace in South Sudan, but hopefully, if they say they will make it different, they will follow through with those promises, otherwise those promises have no value to the South Sudanese people.

Faced with this truly desperate situation, I would be grateful if the Minister would respond to the following questions. First, following the breakthrough of peace talks in Addis Ababa last week, what concrete steps will the UK Government take to punish the spoilers through sanctions, arms embargoes and other measures?

Alex Sobel (Leeds North West) (Lab/Co-op): As well as imprisoning his own parliamentarians, President Museveni of Uganda has promised to supply the South Sudanese regime with arms, in spite of the arms embargo imposed by the EU, including us, the US and other countries. Does my hon. Friend think that the Government also need to act on Uganda?

Nic Dakin: I am sure that the Minister will have heard my hon. Friend's intervention and will quite appropriately want to pick up on that in her response.

Specifically, how will the UK Government use the powers in the Sanctions and Anti-Money Laundering Act 2018 to increase pressure on key individuals to encourage them to participate seriously in the peace process?

Secondly, how will the UK Government leverage their political capital in the region, which is not insignificant, to bring about decisive change in the conflict? In particular, will the Minister outline how the UK intends to escalate its diplomacy with President Museveni, including through direct discussions with the Foreign Secretary?

Thirdly, how is the UK supporting the Church's peace-building work in South Sudan? The South Sudan Council of Churches has been invited to lead a new peace initiative in South Sudan. How can the UK best support those efforts?

Fourthly, what support are the UK Government providing to the ceasefire and transitional security arrangements monitoring mechanism? It is vital that that body is responsive to violations to ensure that perpetrators are held to account.

Fifthly, what steps are the UK Government taking to ensure that the hybrid court is set up as soon as possible in South Sudan? Tackling the culture of impunity for South Sudanese leaders will be crucial in preventing future atrocities.

Finally, what is the UK's view on the current plan of the Government of South Sudan to hold elections in the near future? It is impossible to imagine free and fair
The Minister for Africa (Harriett Baldwin): It is a pleasure to serve under your chairmanship, Sir Graham.

I pay tribute to the hon. Member for Scunthorpe (Nic Dakin) for the eloquent way in which he described the situation in South Sudan and for the work that he does as vice-chair of the all-party parliamentary group on Sudan and South Sudan. I add my appreciation for the work done by Chris Trott and the team on the UK’s role in the peace process.

Last summer, the Prime Minister decided to combine the role of Minister for Africa with the role of Minister in the Department for International Development, which makes enormous sense when we are discussing matters such as this. We completely agree that the grim situation in South Sudan, as outlined by the hon. Gentleman, is an entirely man-made crisis.

As always in such situations, however, the UK is at the leading edge in terms of the humanitarian response. We have consistently been one of the top three donors in South Sudan. Our drinking water package alone reached almost 700,000 people. More than 400,000 people received food, and almost 400,000 received nutrition support. More than 6.5 million health consultations were delivered in South Sudan, of which 2.5 million were for children under five. We have funded almost 4,000 schools to deliver basic education. At a time when the population of South Sudan is suffering from this terrible man-made violence, UK aid is providing that life-saving support.

Clearly, however, the question that we need to discuss is what more the UK can do to try to ensure peace in South Sudan. It is only through peace that we will be able to move beyond providing aid to trying to build a stronger economy in South Sudan. I will outline some of the events of that peace process, which is timely because there have been recent developments, as reported during the debate.

Clearly, the only way we can move forward without the escalation of suffering and without consequences for generations to come is through putting as much effort as we can into the peace process. Since my appointment in January, one of my top priorities has been to see what more we can do in South Sudan and in the Intergovernmental Authority on Development peace process.

In terms of UK support, we welcome the work that IGAD has done so far to deliver the peace talks, but the failure to impose consequences for violations of the ceasefire has been a major blocker of progress. We strongly urge IGAD to take action against those who have violated the cessation of hostilities agreement before the final round of discussions. Spoilers of the peace process must be left in no doubt about the region’s commitment to peace.

The UK has been committed to tackling impunity, and we continue to explore all avenues for action against those who undermine peace. So we have been pushing hard for action by the EU. We announced some sanctions in February, through the EU, and we have also been pushing in the United Nations Security Council. That is why we much very welcome last week’s Security Council resolution, which commits to consider sanctions and an arms embargo if violations continue; that is a welcome development.

I also pay tribute in this debate to our armed forces, because the UK deploys nearly 400 troops in South Sudan as part of the United Nations Mission in South Sudan, or UNMISS. And may I pass on the praise of David Shearer, the UN’s Special Representative for the Secretary-General, who recently visited the troops in South Sudan and praised them for their achievements?

I can reassure the hon. Member for Scunthorpe that the UK will also continue to support the important work of the South Sudan Council of Churches. We regularly discuss that work with the Archbishop of Canterbury. We believe that the council has a vital role to play in fostering open and honest dialogue.

Hon. Members asked specific questions about Uganda. I can confirm that we have regularly raised the issue of South Sudan in our discussions with President Museveni of Uganda. For example, the Foreign Secretary discussed South Sudan with the President at the UN General Assembly in September last year and followed up by writing to him in December, encouraging Uganda’s positive engagement with the peace process in South Sudan. Also, during the Commonwealth Heads of Government meeting, I met Uganda’s Foreign Minister and was able to discuss the situation in South Sudan, as I have done on all the occasions when I have met Ministers from neighbouring countries. There is a consistent theme that regional players are keen to see a resolution of this conflict.

The hon. Member for Scunthorpe specifically asked whether there was the opportunity for elections in South Sudan. We do not believe that elections are the answer to South Sudan’s political problems. The conditions in South Sudan are not conducive to elections. Can you imagine, Sir Graham, holding elections in the country when over a third of its population—some 4 million people—have been forced to flee their homes? In fact, it is likely that elections would only serve as a catalyst for further violence, exacerbating the humanitarian crisis. Clearly, South Sudan must first focus on achieving a sustainable negotiated political settlement before the conditions necessary for credible elections can be created.

The hon. Gentleman also asked about the role of the new powers that the UK has, as a result of the recently enacted sanctions legislation. Of course, that legislation will give us more flexibility in the future, but it is also incredibly important that we try to work
alongside other partners for peace as much as possible and that we send a consistent message in terms of our actions.

Regarding the ceasefire and transitional security arrangements monitoring mechanism—that is not a phrase that readily trips off the tongue, but the mechanism is very important—we strongly condemn all the appalling violence in South Sudan. The hon. Gentleman read out some examples from the UN’s report on the violence against civilians. The information in the report reflects the ongoing and widespread violence and human rights abuses, and the ongoing and appalling levels of gender-based violence in South Sudan. The people of South Sudan are bearing the brunt of this terrible conflict, so the UK continues to support the ceasefire and transitional security arrangements monitoring mechanism, to ensure that it can report on ongoing violations in a timely manner.

**John Howell:** I believe there is an African Union summit meeting coming up. Will the Minister ensure that these points are reflected in that meeting in some way?

**Harriett Baldwin:** Well, as my hon. Friend knows, the UK is obviously not a member of the African Union, but I do know from my discussions with countries that are members of the African Union how many of them share our concerns and how keen they are to support the peace process in South Sudan. So I would very much welcome it if the African Union was able to discuss South Sudan at its forthcoming meetings.

**Stephen Kerr:** Will the Government also commit themselves to doing what they can to bring to justice those who have perpetrated these terrible crimes?

**Harriett Baldwin:** I can certainly give my hon. Friend that assurance. As he will know, because the work continues to this day, Lord Hague of Richmond, the former Foreign Secretary, was very much at the forefront of the UK’s leadership in making sure that we are able to gather and retain the evidence of such crimes, so that those who perpetrate these kinds of outrageous examples of violence know that justice will follow; even if justice is delayed, it will be inevitable. So I pay tribute to Lord Hague’s work to keep this issue at the forefront of the international agenda.

The UK Government are fully committed to working towards peace and security for the people of South Sudan. We will not stand idly by while the South Sudanese suffer in these appalling conditions. UK aid continues in an environment where, as has rightly been pointed out, in the last year alone 30 aid workers have lost their lives. It has been incredibly difficult for the teams delivering aid on the ground, so I pay tribute to those brave aid workers who are able to get life-saving assistance into communities. We will continue with our commitment on that front, as well; we will continue to address the most acute needs of the people; and we will continue to do all that we can to support the region as it pushes for peace.

**Question put and agreed to.**

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**Stonehenge: Proposed Road Alterations**

4.27 pm

**Alex Burghart** (Brentwood and Ongar) (Con): I beg to move,

That this House has considered proposed road alterations around Stonehenge.

**Sir Graham Brady (in the Chair):** The hon. Gentleman is entitled to make a speech at this point, if he wishes to do so.

**Alex Burghart:** Thank you very much, Sir Graham; it is a pleasure to serve under your careful and kind direction.

I know that it is slightly unusual for an MP from Essex to call a debate on improvements to a road that is not in Essex; indeed, the A303 does not run through Essex and Stonehenge is not within Essex. So I apoligise to Members who represent constituencies in the area around Stonehenge that are affected by this road and I also apologise to the Minister, because I know that there is a due process under way that the Government must religiously and necessarily stick to, and that there is a limit on what he can say in the debate today.

However, I also know that at the end of that process it is Ministers who will have the final say on whether this project goes ahead. Consequently, I would like to put a few things on the record now, to ensure that the Minister has heard the concerns that have been raised with me by the archaeological community, who have themselves made submissions to the appropriate consultation.

We find ourselves in the position of having a world heritage site on a rather awkward transport route in Wiltshire. The need to improve the transport network is running up against that of preserving the site known as Stonehenge, making the debate necessary. My personal interest stems from the fact that for a long time I was a teacher and lecturer in history, admittedly medieval history. I began my studies at about 500 AD—

**Interuption.** Even by my own standards, that makes my period modern rubbish, as my hon. Friend the Member for East Worthing and Shoreham (Tim Loughton) so kindly puts it.

I grew up in the locality of the site and have spent a great many happy hours within its confines, viewing the stones at sunset and sunrise and taking great pleasure in seeing them in their natural setting. The proposals do not affect the stones themselves. The extraordinary craftwork that is at least 4,000 years old has given us so much insight into the Neolithic period in which the stones were built. A few years ago, the eminent archaeologist Mike Parker Pearson revealed that underneath the perimeter stones were the cremated remains of inhabitants of Britain, dating from about 3,000 BC. Those remains have been analysed and shown to be of people who grew up in many disparate parts of our island. That is to say that even 4,000 years ago, Stonehenge was a meeting place and in some senses a sacred site, where people brought their ailing, or brought their dead to be interred. We all know about the extraordinary bluestones that appear to have been brought from mountains in Wales, as perhaps either an offering or a spoil of war, and which are among the most striking and iconic elements of the assemblage.
The world heritage site itself is considerably larger than the stones. As it was set out in 1986, it covers a wide area, ranging from the long barrows in the west to the Countess roundabout in the east. Some road change plans for within the periphery of the stones are now being consulted on, and I will briefly talk about what we are dealing with.

In the west, we have an extraordinary collection of Neolithic long barrows, and this grouping in a small area is unique in the world. There are eight early Neolithic long barrows across this part of the western valley, where a new cutting for the road is proposed. The grouping is not just unusual; it is entirely of its own. To the east, we find a remarkably precious patch of boggy ground called Blick Mead, the full significance of which has only recently been revealed: a monograph published earlier this year lights on excavations over the past decade.

In its wet environment, Blick Mead keeps organic matter in a deoxygenated state, meaning that the matter does not rot. That creates the most extraordinary catalogue of human activity, going back not just to 3,000 BC when the stones were erected, but to 4,000 years before that, to our Mesolithic hunter-gatherer ancestors. That is to say that the Stonehenge stones are the mid-point of activity between now and the earliest phases of known occupation on the site. I was once told that the lifetime of Cleopatra was closer to the modern day than to the building of the great pyramid at Giza, and this is almost exactly the equivalent—4,000 years back to the stones of Stonehenge and 4,000 years further back to the beginning of Blick Mead. We are only skimming the surface at the moment, but the catalogue enables us to find any such site anywhere in northern Europe. The society to a settled farming one. It is wholly extraordinary occupation on the site. I was once told that the lifetime of Cleopatra was closer to the modern day than to the building of the great pyramid at Giza, and this is almost exactly the equivalent—4,000 years back to the stones of Stonehenge and 4,000 years further back to the beginning of Blick Mead. We are only skimming the surface at the moment, but the catalogue enables us to find any such site anywhere in northern Europe. The site is completely remarkable and must, whatever plans go forward, be preserved. We must seek not to damage it but to protect it. I am sure that there are many ways of doing that, but it must be done.

In the words of the great rock band, Spinal Tap:
“Stonehenge! Tis a magic place”

and
“No one knows who they were or what they were doing”.

Blick Mead will enable us to answer the important questions raised by Spinal Tap.

Tim Loughton (East Worthing and Shoreham) (Con): Will my hon. Friend give way?

Alex Burghart: I give way to the chair of the all-party parliamentary archaeology group.

Tim Loughton: I apologise for arriving slightly after the beginning of the debate, which started early, uncharacteristically for my hon. Friend. Notwithstanding the archaeological academic prowess of Spinal Tap, I go back to his point about the extraordinary and unique concentration of barrows at the western end of the site. He referred to eight. Does he agree that two new long barrows were discovered as recently as 2016-17, during surveying work for the potential new road? That is just those that we know about. The archaeology that could be destroyed if the scheme were to go ahead could be even more considerable than he has outlined so far.

Alex Burghart: I thank my hon. Friend for his remarks and will turn in a moment to what we do not yet know about Stonehenge.

Dr Andrew Morrison (South West Wiltshire) (Con): My hon. Friend should not be at all sorry that he does not come from Wiltshire. Those of us who do are very grateful to him for taking the interest that he has. Does he appreciate that the sensitivity of the matter is demonstrated by the fact that we are going to the extraordinary expense of constructing a tunnel past the stones, which will undermine, so to speak, archaeology that may be explored in the future? That cost should not be underestimated, as logic would dictate that we did a cut and cover, at the very most, or simply had a dual carriageway. Instead, we have gone for a tunnel, which will leave the great bulk of the archaeology that may as yet be undiscovered uninterrupted and undisturbed.

Alex Burghart: I thank my hon. Friend for that excellent point. There is no doubt that a tunnel under part of the site will protect that very part. Notwithstanding the concerns that have been raised about toxic gases that could be released by tunnelling through chalk—not something I am fit to comment on—I believe that part of the site will be preserved by digging deep down for a tunnel. However, regarding the tunnels, the widening of roads into dual carriageways and particularly the flyover on the eastern end of the site, I seek reassurance that at the very least we are doing everything in our power to ensure that we do not damage this precious environment and that, if we find we are doing so, we take other steps.

I wish to make three points in connection with the issues I have raised. The first is about the academic, archaeological response that has been made to the consultation, which it is only right to put on record. The second is the response of UNESCO and the International Council on Monuments and Sites to the proposals as they stand. The third is about the relationship we have with world heritage sites and how we might seek to develop that relationship in the future.

James Gray (North Wiltshire) (Con): I, too, am a medieval historian, so I welcome my hon. Friend’s presence. I welcome the interest he has shown and some of the fascinating things he is saying about the stones. As well as considering those three reports, will he also consider the interests of the people of Wiltshire, Somerset and neighbouring areas who have for many years spent large parts of their time in a traffic jam alongside the stones? It has become entirely intolerable. Will he also consider the question of the way in which the stones are ruined by the presence of vast quantities of traffic above ground? Although we have, of course, listened to what he has to say about archaeology, surely we have to find a way of easing the traffic for local people and improving the environment of the stones.

Alex Burghart: I am grateful to my hon. Friend for his comments. I am one of those people who have sat on the A303 on a hot summer’s day, in stationary traffic with an agitated child in the back and a wife looking at me as though to say, “We should have taken a different route.” The last time I went on the A303 in summer, we
were in stationary traffic for two hours because the President of the United States had decided he would visit Stonehenge that day. The security forces of the United Kingdom and the USA had bilaterally decided to stop everything going east and west without telling us what was going on. I fully acknowledge that there is a traffic problem on the A303 and that local residents have a right to ask for that problem to be solved. I am an Essex MP; I do not wish to go into alternative routes. I am seeking assurances from the Government that whatever decision is made about where the road does or does not go, we have foremost in our minds a determination to preserve this completely unique environment.

First, I turn to the comments made by the group of 22 experts who have worked at Stonehenge over the past 10 years. They have raised particular concerns that the “creation of new sections of dual carriageway and slip roads at each end of the tunnel, within the boundary of the WHS, would set a dangerous precedent by allowing large-scale destructive development within a WHS”.

I will turn to that point again in a moment. They also said:

“The construction of the portal at the west end...and new sections of road in its vicinity, would damage an area with an unusual and nationally important concentration of long barrows” belonging to the millennium prior to Stonehenge. They said:

“The proposed new road would cut across the site of a settlement from the time of Stonehenge’s construction, perhaps where the builders of its Bronze-Age phase once lived...At the tunnel’s eastern end, construction of its portal may affect groundwater conditions which could harm nationally important Mesolithic remains at the site of Blick Mead.”

The 22 archaeologists are employed by UK universities. Many were employees of various universities or English Heritage when doing research at Stonehenge. Seven of them are members of the A303 Scientific Committee at Stonehenge. It is a very good thing, which was set up to ensure that the process gets good advice on limiting the damage of the current proposals. However, its remit does not extend to looking beyond that; those are the terms of engagement. Seven members of the scientific committee were sufficiently concerned to make their own submission to the consultation.

I do not know the best way of doing this, as I do not wish to read out all 22 names, but I hope they can be in some way included in the Official Report. [Interruption.] I am being told to read them into the record. They are: Professor Mike Parker Pearson, University College London; Dr Umberto Albarella, University of Sheffield; Dr Mike Allen, Allen Environmental Associates; Dr Barry Bishop, University of Buckingham; Professor Nick Branch, University of Reading; Dr Christopher Chippindale, University of Cambridge; Professor Oliver Craig, University of York; Dr David Field, formerly of English Heritage; Professor Charly French, University of Cambridge; Professor Kate Welham, University of Reading; Dr Christopher Tilley, University of Manchester; Professor David Ruggles, University of Central Lancashire; Professor Peter Rowley-Conwy, University of Durham; Professor Clive Ruggles, University of Cambridge; Professor Julian Thomas, University of Manchester; Professor Christopher Tilley, University College London; and Professor Kate Welham, University of Bournemouth.

They have concerns, and further concerns have been raised by a different body that worked on the Blick Mead archaeological site in the east. The principal concern there is about the water table, since the deoxygenated environment, as I have explained, is extremely helpful in preserving organic matter from a long time ago. They are concerned about two aspects of the proposed route: that the extension of dual carriageway could create additional weight on the road, squeezing water out of the site; and that the weight of the flyover could squeeze the soil down, again pushing water out.

Such concerns are understandable from a professional viewpoint, given that in 2000, an extraordinarily important Mesolithic site in North Yorkshire called Star Carr was damaged when drainage ditches—which, I believe, had been approved by heritage organisations—were cut through. That has caused irreparable damage to a truly remarkable site. For the record, the academic paper charting what happened at Star Carr can be found in *Proceedings of the National Academy of Sciences of the United States of America*, November 2017, “Lessons from Star Carr on the vulnerability of organic archaeological remains to environmental change”. Within a short period from the changes being made to the Star Carr environment, irreparable and irreversible damage was done to its archaeology.

I was pleased to see in chapter 11 of the Highways England preliminary environmental information report that the potential impacts of the construction of the scheme at the eastern end—over the Countess roundabout—were being looked at. Some opportunities to avoid or mitigate the impacts by influencing the design of the proposed scheme were noted. However, from the information given in that document, it is very difficult to see exactly how Highways England has reached its conclusions. There is no account of what it envisages the weight of the road being, or the weight of the flyover. It is very difficult—indeed, impossible—to tell what minimisation looks like in this context. Does minimisation mean an absolutely negligible impact? I sincerely hope so. Either way, we deserve to have that information, so that we can ascertain whether the conclusion that the “proposed scheme would have no likely significant permanent adverse effects” is true, and if so, the extent to which it is true.

**Dr Murrison:** My hon. Friend is being very generous. Would he acknowledge that there is a clear and present danger, not only to people who live and breathe in villages such as Chitterne, with the rat-running that currently goes on, and Chicklade, which sits along the route of the A303 and is blighted by that road at the moment—their lives are being adversely impacted by the A303—but to the built environment, which is also being adversely impacted? We need to do something about that. The proposals for Stonehenge would go some way towards improving those settings, the lives of those who live there and the built environment in the sorts of villages I have described.

**Alex Burghart:** I thank my hon. Friend for those remarks. As I said to my hon. Friend the Member for North Wiltshire (James Gray) a moment ago, I fully
understand the need for some form of road improvement in the area. All I am asking for is an assurance that we are doing everything in our power to protect the archaeological environment.

James Gray: I am so sorry to interrupt once again. It really is the most interesting speech, and we are learning a great deal. My hon. Friend says in passing that some form of road improvement might be necessary. That matter has concerned the road traffic authorities and the people of Wiltshire for two or three generations. It goes right back to the first world war—that was the first time people started talking about what we were going to do about Stonehenge. Therefore, simply to say, “Oh, I’m very worried about the archaeology, and if we can’t save it we must find some other way of doing it,” is not enough. If he does not like the flyover at the Countess roundabout, what else does he propose?

Alex Burghart: I think I made it clear to my hon. Friend the Member for South West Wiltshire (Dr Murrison) that I am not a road engineer. I am a simple Member of Parliament with a historical and archaeological bent. The experts should find a means of answering such questions. It may be, for all I know, that they have already done so, but from the information that I have seen and that has been made available to the public, my concerns have not been allayed. Clearly, the archaeological community and international community have not had their concerns allayed either.

UNESCO and its sister group in the UK, the International Council on Monuments and Sites, have said on a number of occasions that the current proposals are not what they would wish. To quote UNESCO from earlier this year, the project is “not adequate to protect the authenticity, integrity and Outstanding Universal Value (OUV) of the property.” In April of this year, ICOMOS said: “ICOMOS-UK wishes to register a strong objection to these proposals in view of the substantial negative and irreversible impact we believe that the dual carriageways at both ends of the tunnel would have on the attributes of OUV of the WHS of Stonehenge, Avebury and Associated Sites.”

Unless we can allay those fears, there is a danger that the status of the world heritage site will be affected. That would be extremely bad for us all, and is something that I am sure none of us wants, although I acknowledge that local MPs and local constituents will want improvements in the area.

I must put on the record the fact that my hon. Friend the Member for Salisbury (John Glen) is here. As a Minister, he is unable to speak. I am very sorry he is in that position, because I know that he would want to raise a lot of issues on behalf of his constituents.

Steve Double (St Austell and Newquay) (Con): Does my hon. Friend acknowledge that it is not just local MPs in Wiltshire who want the dual carriageway to be built, but MPs from across the south-west, particularly in Cornwall, Devon and Somerset, where we rely heavily on tourism? The fact that we have only one main trunk road linking us to the rest of the country is a real barrier to the growth of the tourism industry. The establishment of a second dual-carriageway link would be a huge boost to our local economy, and is vital to our economic future.
amount from his speech, and I congratulate him on it. There was a huge amount of interesting information there that I, for one, simply did not know, and he made some incredibly important points.

I think my hon. Friend spoke for the people as a whole, and for everyone who is concerned about the issue. Of course, I suspect that hardly anyone wants to destroy or damage the archaeology around Stonehenge. We all want to do everything that we can to preserve it; there is no question about that. We do not want one blade of grass that is of historic interest to be damaged by the proposal, and of course we must do everything that we can to preserve the site. That is why so many experts have been involved in the project for so many years.

I think my hon. Friend has missed two things. First, we have to do something. He mentioned that he has been down to Cornwall on holiday on a couple of occasions, and was once stuck in traffic thanks to President Obama. From listening to BBC Radio Wiltshire, I can tell him. Members that the A303 at Stonehenge is chock-a-block, morning, noon and night, seven days a week. It is the most extraordinary piece of traffic congestion in the country. That does not only affect local people and tourists trying to get down to the south-west—I very much agree with my hon. Friend. The Member for St Austell and Newquay (Steve Double) that it is an important traffic link to the south-west—but the stones themselves.

Secondly, of course it is right that a UNESCO world heritage site should be preserved in the way my hon. Friend describes—no one denies that, but I find it hard to imagine that UNESCO could allow a site such as Stonehenge, one of the finest sites in the world, to have a traffic jam through the middle of it. Quite rightly, we decided to close the branch road that goes up towards Devizes. That road was closed because it damaged the site; it went right through the middle of it. Closing that road has actually made the traffic problems worse, but the A303 is within a yard or two of the heel stone. We are talking about the most appalling traffic jam right beside the stones. We may have traffic jams here, outside the Tower of London or Westminster Abbey, but what we see at Stonehenge is significantly worse than that. I cannot imagine why, from a heritage standpoint, anybody could do anything other than welcome the fact that this road is going to be moved. It has to be moved. It is an absolute bunion—a carbuncle, in the words of His Lordship, a huge, absolute bunion—a carbuncle, in the words of His Lordship, a huge bunion. We may have traffic jams here, outside the Tower of London or Westminster Abbey, but what we see at Stonehenge is significantly worse than that. I cannot imagine why, from a heritage standpoint, anybody could do anything other than welcome the fact that this road is going to be moved. It has to be moved. It is an absolute bunion—a carbuncle, in the words of His Royal Highness the Prince of Wales. It is an appalling sight and we have to do something about it.

My third point was missing from the speech given by my hon. Friend the Member for Brentwood and Ongar, which was extremely well thought through. Of course we have to preserve the archaeology, but we have to do so in a way that modern people can appreciate, and in such a way that they can live their lives. At the moment, that is not happening.

Something has to happen and people have been considering the matter for generations now. The proposal we have come up with seems to me to be the least bad of the options available to us. Of course, there may be some downsides and a bit of impact from the weight of the flyover and one or two other things, which we will try to make better, but we have got to do something. In reply to an intervention, my hon. Friend the Member for Brentwood and Ongar said that that was not a matter for him—he comes from Essex and does not know anything about road engineering. He knows about wetlands and things of that kind, but he does not understand the reality of the place itself. He does not understand the misery that local people and tourists to the west country are currently going through.

In considering my hon. Friend’s very fine and important archaeological points, it is also necessary to consider at the same time how those things can be sustainably maintained—in other words, kept in their pristine condition in a way that allows modern people to live their modern lives.

Tim Loughton (East Worthing and Shoreham) (Con): Will my hon. Friend give way?

James Gray: Of course, I am happy to give way to my hon. Friend from Essex.

Tim Loughton: Or indeed, Sussex. I am grateful to my hon. Friend. I am sure that everyone here would agree that the imperative is to make sure that when he inevitably gets his ministerial car, it can speed without any encumbrance across the A303 to his constituency. Will he acknowledge that the Stonehenge UNESCO world heritage site was in place almost 5,000 years before the invention of the internal combustion engine? While we absolutely need to make sure that modern life can be compatible with its preservation, will he acknowledge that the problem with the scheme is that it does not sufficiently take account of the heritage value of the site? The site is not just the stones themselves. It is a much wider area that is of significant archaeological importance, as recognised in the wider UNESCO world heritage site—one of only 31 such sites in this country.

James Gray: I am most grateful to my hon. Friend for his intervention, but I must correct him on two small points. It shows how little he knows of the geography of the area. If someone were to travel in their ministerial limo from north Wiltshire to London, they would not go anywhere near Stonehenge—they would be some 30 miles away from it. One of the first things he ought to do is to take a glance at a map of Wiltshire and find out exactly what is affected by this proposal.

Secondly, when he says that the UNESCO world heritage site was in place 5,000 years ago, I suspect that UNESCO was not around 5,000 years ago. None the less, that is a small oversight on his part.

Of course, we are all ad idem. We are in agreement. All of us in this room are in agreement on these matters, and it is quite wrong to try to make it into an argument. We are all in agreement. There is no question about that. Of course we must do absolutely everything in our power to preserve the archaeology, the heritage, the wildlife and the biodiversity of the area. It is an incredibly important area. We in Wiltshire are more proud of Stonehenge than almost anything else, apart from perhaps Salisbury Cathedral and Malmesbury Abbey—just to throw them in. Of course we must do those things, but we must do them at the same time as allowing modern people to live their lives.

Steve Double: My hon. Friend is making a powerful and well thought out speech. Does he agree that we have got to come to a balanced position, where we balance preservation against progress, and protecting the past against allowing the future to take place?
The one option we cannot allow is doing nothing. Something has to be done, but it has to be done in a balanced way that embraces both sides of the argument.

James Gray: My hon. Friend makes an extremely good summary of my points. He is absolutely right that this must be balanced.

I hope that the Minister will take account of the important points that my hon. Friend the Member for Brentwood and Ongar made in his speech. Of course we must take account of every single archaeological detail. We must do what we can to preserve this hugely important site, and we must improve the UNESCO world heritage site by removing the traffic from the middle of it. Of course all those things are true, but we must also find a way of allowing people in Wiltshire and throughout the west country to enjoy their way of life.

I personally believe that the conclusion we have come to with regard to the tunnel and the approaches to it is the least bad of the options available. Nothing is great and there are problems with it, but I think we have taken account of most of the issues as best we can. I very much hope that those who are responsible for these matters will have listened very carefully to the important points made by my hon. Friend, and where improvements can be made, I am certain that they will be, but I would be extremely concerned if those kinds of concerns were to cause the delay or, even worse, the failure of the scheme as a whole.

Sir Graham Brady (in the Chair): I remind hon. Members that we need to move to the wind-up speeches by 10 past 5. I call Dr Murrison. If you would exercise a little restraint, that would be welcome.

5.5 pm

Dr Andrew Murrison (South West Wiltshire) (Con): I shall be very brief. Like my hon. Friend the Member for North Wiltshire (James Gray), I did not intend to speak in this debate. I will start by declaring an interest. My home and a small piece of land that I own runs down to the A303, although much further west than Stonehenge.

I congratulate my hon. Friend. Friend the Member for Brentwood and Ongar (Alex Burghart) on his speech. He did a great job in trying to steer that middle course between serving the interests of people who live and breathe today and our interest in archaeology, which we hold to be extremely important in Wiltshire. It is very much the repository for archaeology, and I know that my hon. Friend the Member for Salisbury (John Glen), who is unfortunately prevented from speaking because of his ministerial position, agrees with me that we must preserve all we possibly can. However, it is important to say that we cannot make an omelette without breaking eggs. It would be very foolish for any of us to suggest that archaeology is not going to be disrupted by the proposal for the A303.

My hon. Friend the Member for St Austell and Newquay (Steve Double) is absolutely right to say that a balance must be struck. In my opinion, the right balance has been struck. The tragedy would be if the project was delayed any more because we were concerned that we should not disrupt any piece of archaeology in this extremely cramped—in archaeological terms—site in Wiltshire. I regret to say that that would be impossible. In the event that it was shelved, my constituents, who live alongside the A303 and who have their lives blighted on a daily basis by this extraordinary road, and those in all the villages roundabout that are used as rat runs when there is congestion on the A303, which is pretty much all the time, would have their lives blighted for years and years to come.

I have my own concerns, which the Minister will know about, about the choreography of some of the work, particularly in relation to the village of Chicklade. I will continue lobbying on behalf of my constituents to make sure that we get the second phase sorted out very quickly indeed. However, none of that should delay this crucial piece of work through Stonehenge. At this particular juncture, I think we need to just crack on with it.

I admire very much the extraordinary account by my hon. Friend the Member for Brentwood and Ongar of the history of the site. It seems to me that tunnelling under most of the archaeological remains is the most sensitive way of dealing with that, notwithstanding the poisonous gases to which he referred and of which I have to confess I was not aware. I understand his concerns about either end of this tunnel—particularly the Amesbury end—and I hope very much that we are able to approach the work in as sensitive a way as we possibly can, but it would be foolish for any of us to suppose that some of it will not be disruptive. That, I am afraid, is the price that we pay.

My hon. Friend referred to Stonehenge as a Mesolithic destination. Stonehenge was sited there for a reason: it was because it was accessible by tracks and by river. That is part of the reason Stonehenge is where it is. I think we sometimes have to give a little respect to the much-maligned A303; the part it has played in our history is sometimes understated and underestimated. It is important and is part of the overall Stonehenge story.

5.8 pm

Rachael Maskell (York Central) (Lab/Co-op): It is a pleasure to serve under your chairmanship, Sir Graham. I thank the hon. Member for Brentwood and Ongar (Alex Burghart) for opening the debate in such a fascinating way and drawing us into so much of the history, which he clearly has such a passion for. His sharing that was a privilege for all of us. He was absolutely right to remind us of the importance of our past and the still undiscovered past, which we will learn so much about. That is why today’s debate is so important and timely, given the proposals, as an opportunity to reflect once more on how to preserve our heritage to ensure we still have the opportunity to dig into our past—literally—and understand our history.

This is also about our future—hon. Members made that point well. The air quality along the A303 has an impact not only on the site itself but on the residents living in the area. Air quality is a real challenge in many areas of our country. Road users are among those who experience the worst air quality. It causes 40,000 premature deaths in our country every year, so we urgently need more action on that front.

I recognise the importance of the site—I remember going there as a child, back in the days when people could run around the stones—but this is not just about the stones. The point was made eloquently this afternoon
that the whole of the site is significant—not just its aspect, but its richness and depth. It is important that the proposals preserve the site, because once it is damaged we cannot get it back. We really need to reflect on those considerations.

Several communities use the space. The local community, which uses it for commuting and obviously lives along the site, needs to find a resolution too. It is important that Wiltshire County Council looks at how to prevent rat runs, which hon. Members mentioned, and ensures that villages are not disturbed by traffic charging through them. There is more it can do to step up in that area.

Then there is the tourist traffic. I understand that about 1.58 million people go to visit Stonehenge every single year, which is of huge significance. We therefore need to understand how best to accommodate tourists. They do not have to park right next to the stones, and obviously there have been developments over time to pull that traffic further back. We need to think about how tourists approach the area and about whether we can do more to reduce the traffic using the area for that purpose. The Minister knows I am a keen advocate of modal shift. I have looked at the maps, and it is very doable on a bicycle—he and I are both cyclists. We must find alternative ways for people to reach the site and take that journey into Stonehenge. That is really important for the future.

There is also the east-west traffic, which moves down into the south-west. We want to see a significant modal shift in that area, so we have to think creatively. There are real opportunities: proposals are being put forward for peninsula rail—there is an aspiration for it to reach the south-west with Great Western. There are opportunities for a modal shift in the regular commute of those who use the road. We need to look at how to draw traffic off the road. One thing we know about road-building expansion is that it can lead to induced demand. Major expressways can suck traffic off other routes and leave us facing similar challenges.

Steve Double: I am listening very carefully to what the hon. Lady is saying, but can she clarify whether the Labour party supports the development of this new road and the solution of the tunnel under Stonehenge? It is important that those of us in the south-west understand what the Labour party’s position is.

Rachael Maskell: As I said, I will come to that point shortly. In York, we get 7 million visitors a year, so I understand the challenges that the hon. Gentleman faces. We believe the Government can do far more on modal shift. Obviously, there has been a bit of a crisis in rail in the past week or so, but we know that rail is a significant player in moving people around our country. We want public transport to be the mode of choice for the future. That will have a significant impact on people travelling by car. That is at the heart of our policy.

The Government’s proposal is a compromise. They are trying to do something to move traffic away from the current road location and take it through a tunnel, but it is a compromise and there are risks to their strategy. We recognise that there is a compromise on the resources. The question is not about the tunnel itself but about its length and the impact that cutting the throughways will have on either end of the tunnel. I learned a lot about water tables from the hon. Member for Brentwood and Ongar this afternoon. I did not realise the effect they can have on the moisture of the land. I will certainly go back and have a look at that issue. The Government need to look again at where the tunnel is cut and where it is placed. My response to the hon. Members for St Austell and Newquay (Steve Double) and for North Cornwall (Scott Mann) is that that point needs to be reviewed. We understand the significance of the site, and cutting the western end of the tunnel could have a significant impact on the long barrows, which we have heard about this afternoon.

Steve Double: Just to clarify, is the hon. Lady saying that the Labour party does not support the current plans and would not support the development of this road?

Rachael Maskell: I am saying that we believe there are other alternatives, which would be far more significant in reaching the right balance, which the hon. Gentleman talked about earlier. We certainly do not believe that the solution that is on the table at the moment is the only one that needs to be looked at. There are opportunities to get this right for everybody.

Serious concerns and objections have been raised about the proposal, not least by the archaeological community. We note that English Heritage and the National Trust support it, but English Heritage also supported making a change of real heritage significance in my constituency, and it was only prevented by pressure from the community. We wanted the right solutions to be put in place. Our focus must be on getting this right for the future.

We must also scrutinise the Government’s decisions. In Transport questions just before the recess, I talked about ancient woodlands, and the Minister said that many ancient woodlands were planted only a couple of decades ago. The way he dismissed something that is important to the community of Arundel on the A27 puts doubt in my mind about whether proper work has been done on the detail, and about whether we have reached the ultimate conclusion. We clearly have concerns about the impact of the proposals on the archaeology. I look forward to hearing the Minister’s reflections. I hope he will give us all confidence that everything is being done to ensure that the wider Stonehenge site is preserved.
5.19 pm

The Parliamentary Under-Secretary of State for Transport (Jesse Norman): May I say on behalf of us all, Sir Graham, how brilliantly you have chaired today’s proceedings with your normal aplomb and energy?

I congratulate my hon. Friend the Member for Brentwood and Ongar (Alex Burghart) on ensuring the debate and on his excellent contribution. I was interested to learn that in his previous lives he has frolicked around the stones—I am sure not defacing but enjoying them, and I hope not breathing too close to the road—celebrating his druidical background. As such an erudite and scholarly man, he is a great adornment to the Commons. He has brought that bookish sentiment to this debate. If I may mis-quote John Osborne, with but enjoying them, and I hope not breathing too close to the ancient ruins.

To engage with the point made by the hon. Member for York Central (Rachael Maskell), I thought her phrase the “undiscovered past” was a brilliant one and perfectly captured the proper concern that she and my hon. Friend the Member for Brentwood and Ongar framed. She was right to draw attention to air quality and the community-use aspects of the site. Her joy in cycling, I am pleased to say, will be enabled and furthered by the greenways planned as part of the renewal of the site, alongside the removal of the A303. I must, however, put it on the record that I am very surprised and, frankly, sorry that the Labour party’s position is not to support the project. [Interruption.] I invite the hon. Lady to correct me. If the Labour party is ready to support the project, she is absolutely welcome to intervene and say that it will.

Rachael Maskell: I have made it very clear that we need to ensure that we have done absolutely everything possible to preserve the site. As I said, I was looking forward to the Minister’s speech to convince me that that is the case.

Jesse Norman: I am grateful for that clarification—if it was one—so let me say this. If the hon. Lady wishes to intervene before I finish to say that I have given her such assurances, that will reassure the many people in Exeter and Plymouth who might be worried about whether the Labour party supports the project.

Let me frame the proposals in their wider context. As hon. Members know, the A303 is the most direct strategic route between the south-west and the south-east and indeed the east of England. That makes it a vital arterial corridor, as has been noted throughout the Chamber during this debate. Several sections of the road, however, are single carriageway, causing congestion, delays and greater risk of accidents.

Would it were the case that only a visit from a serving President of the United States of America was required to interrupt the traffic and cause congestion. Tragically, as has been pointed out, congestion is absolutely an everyday feature—I visited the stones recently and sat in a traffic jam. The experience is a rotten one for all involved, awful for the site and not good for the stones themselves. Those points are sometimes forgotten.

One of the congestion points is precisely at Stonehenge. The distance of the road from the stones when it passes near them is 165 metres, or less than 200 yards, which is an astonishing fact. The sight, smells and sound of stationary traffic are brought directly into the centre of a unique prehistoric environment. That is bad for road users and local communities, while a world heritage site is cut in half and the setting of that iconic landmark is harmed. After many delays and many years of prevarication, therefore, the Government have decided that we need to take the chance to enhance the setting of such an extraordinary monument and to improve access to the surrounding landscape, while opening the south-west for further tourism and other business.

In the 2014 road investment strategy, the Government committed to a scheme at Stonehenge, and we are following through on that. The project is part of a longer-term strategy to create better links between the M3 in the south-east and the M5 in the south-west by upgrading the entire A303-A358 corridor to dual-carriageway A-road standard, thereby transforming it into a continuous high-quality route to the south-west, with significant benefits for tourism, jobs and the economy. As the House knows, we have already committed funding to three schemes: Stonehenge; the Sparkford to Ilchester stretch; and Taunton to the Southfields roundabout. The hope is to commit to the full upgrade of five other sections of road along that corridor in ensuing investment strategies.

The A303 and the Stonehenge site suffer significant congestion because of additional traffic. Given how little time I have remaining—I think only two minutes—I shall cut straight to some of the key points. The proposed road alterations include a twin-bore tunnel of at least 1.8 miles in length and other features mentioned today, such as the Longbarrow and Countess junctions. Both the Department for Transport and Highways England very much appreciate that the world heritage site contains an abundance of early prehistoric monuments. They are committed to minimising the impacts of the planned scheme. The heritage monitoring and advisory group, which includes a range of prestigious organisations, provides advice to ensure that heritage is at the fore of scheme design decisions, advising on archaeological surveys and the like. The scientific committee has directly influenced the scope of the archaeological evaluation strategy adopted for the scheme.

On Blick Mead, Highways England is carrying out an extensive heritage impact assessment to ensure that the scheme does not create unacceptable effects for important heritage features. It must be pointed out that Blick Mead is a full half-mile from the proposed entrance to the tunnel. The proposed use of a tunnel-boring machine means that the tunnel will be constructed in a sealed and watertight environment. There are a range of
other mitigations and a great deal of work being done on the water table and the hydrology, as my hon. Friend the Member for Brentwood and Ongar knows. The Star Carr site is in many ways not a relevant comparison, although it may serve as a warning, precisely because it was the victim of ill-thought-through land drains and acidification of the site, which I am afraid reduce its value as a comparator.

To round up, there will always be trade-offs of incommensurables of the kind that we have seen—between the history and value of a site, the economic, community and air-quality benefits to be had from it, and the like. The nature of politics is that we have to make such trade-offs, but only of course with the most careful expert advice and scrutiny, for the minimisation of the impacts, as we have discussed. In this case, we must be philosophers in practice. I would like to think that the Government have done everything that they can to strike the right balance along the lines that I have described.

5.28 pm

Alex Burghart: I thank the Minister for his comments, and I thank all my colleagues for coming and defending the interests of their constituents. I hope that I made my point in defending the interests of the archaeological community, and that the Minister and all the interested parties do everything they can to ensure that the inherent value of the archaeology of the Stonehenge world heritage site remains at the forefront of all our minds.

Question put and agreed to.

Resolved.

That this House has considered proposed road alterations around Stonehenge.

5.28 pm

Sitting adjourned.
Westminster Hall  

Wednesday 6 June 2018  

[SIR ROGER GALE in the Chair]  

Employment Rates

9.30 am

Michael Tomlinson (Mid Dorset and North Poole) (Con): I beg to move,

That this House has considered recent trends in employment rates.

It is a real pleasure to serve under your chairmanship, Sir Roger. I am delighted to have secured the debate, not least because I missed the last one. I am particularly pleased that hon. Members from both sides of the House have risked coming along this morning for a second time—take two. The debate gives me the opportunity to update the House on the work of the all-party parliamentary group on youth employment, on which I will focus.

However, I will first mention some trends in employment growth as a whole. My speech will not be full of statistics; it would be very dull and boring if it were. However, I must mention some, and having missed the last debate in April, I now have May’s Office for National Statistics figures, which show yet another rise in the employment rate, which is now at 75.6%. Had I turned up on time to that debate, it would have been only 75.4%, so in a way I am delighted to have missed that debate and to have an opportunity to update the House on the latest figures.

The overall unemployment rate is 4.2%. However, in the ONS figures, which are actually fascinating to look at, I always look out for the job vacancies, because quite often they tell a story in themselves. It is always of interest to see 806,000 job vacancies, which is 17,000 more than a year earlier. The largest area in which there are job vacancies is the services sector. Employment growth since 2010 has been called a jobs miracle, and long may it continue.

Let me mention one or two points about businesses. It is sometimes said that the Government create jobs, but I firmly believe that businesses create jobs and that the Government set the framework and create the environment in which businesses can flourish and then take on more employees. In that regard, the Government have cut corporation tax from 30% to 19%. Despite the doom-and-gloom cries about how that would reduce the tax take, the Exchequer has in fact seen an increased tax take as a result. There are 5.7 million businesses, which is an increase of 1.2 million since 2010. I am delighted that the World Economic Forum says that this country is one of the top places to do business.

Turning to youth employment, I am honoured and privileged to chair the APPG, which is a role I took over from my hon. Friend the Member for Norwich North (Chloe Smith). Under her leadership, we changed the name of the group from the APPG on youth unemployment to the APPG on youth employment, which is much more positive and actually much more reflective of the facts and the statistics on the grounds.

The secretariat for the group is provided by Youth Employment UK. I pay tribute to its work, and particularly to Laura-Jane Rawlings, who provides the secretariat and support. What the group does particularly well is bring young ambassadors into Parliament. We try to meet on the day the ONS statistics come out, but it is the young ambassadors who really bring our meetings to life. I would be delighted to invite the Minister to come along to one of our meetings, although I must warn him that the young ambassadors can ask some of the trickiest and most ticklish questions, so he will have to be on his mettle.

The ONS recently changed the day on which it releases its labour force survey statistics, from a Wednesday to a Tuesday, which I am told is because it gives MPs more of a chance to examine the figures before Prime Minister’s Question Time. Whether MPs avail themselves of that opportunity I am not sure, but that is the reason given for the change.

Looking at the 16 to 24 age bracket, the headline figure for youth unemployment for May is 12.1%. That is down from a year earlier and is in fact within touching distance of the lowest it has ever been on record, which was 11.6%. The highest, in 2011, was touching 22%. At each and every meeting of our APPG, I still say that it is too high—it is three times the overall unemployment rate of 4%.

We should perhaps not directly compare ourselves with Greece and Spain, where youth unemployment is 45% and 34% respectively. However, other international comparisons include Croatia on 23.5% and Denmark on 10%, but then Germany on 6% and the Czech Republic on 7.2%. We really should aspire to at least halve our youth unemployment rate. Interestingly, the youth claimant count is 3%. However, my view is that youth unemployment is still too high and that we must aim to eradicate it, or certainly to reduce it.

In the time remaining I will touch on our APPG’s most recent report and on what we will be doing in future, and I will then look at an innovative, multi-APPG report on the hospitality sector. Our most recent report, entitled “Those Furthest from the Labour Market”, had quite a wide remit. It looked at the barriers that young people face, from deprivation to disability. It made a number of recommendations and I invite colleagues, and particularly the Minister, to look at all of them, but I will highlight what in my view are the three key recommendations.

First, we must ensure that all young people in education have access to work experience. That is absolutely key, as it allows them to develop soft skills, as well as to get information, advice and guidance, which must be practical but also inspirational. Secondly, one size does not fit all, as is so often the case in every sector. Education, employment and welfare services must recognise the unique potential of all our young people. Thirdly, we need better cross-departmental working. I would like the Minister to consider this point in due course, although perhaps not today. We need better co-ordination of responsibilities and services, including among the Department for Education, the Department for Work and Pensions, the Department of Health and Social Care and the Ministry of Justice. I firmly believe that, through better cross-departmental working, we can truly look at youth unemployment as a whole. Our future
[Michael Tomlinson]

reports will include looking at young care leavers entering the workforce and also young ex-offenders looking at education and employment.

I will briefly touch on the hospitality commission that I mentioned a few moments ago. It is a multi-APPG that includes the APPGs for youth employment, for the visitor’s economy, for tourism and hospitality in Wales, for education and the all-party parliamentary beer group. It will look at all aspects of the hospitality sector, including promoting careers, the diversity of the workforce and education and skills. Importantly, it will show that hospitality is not just a stop gap or a temporary job but can actually be career in and of itself. We had our first evidence session and we have two to go. I invite colleagues to look out for that report when it is published.

Finally, I will mention my constituency—it is always nice to be able to do so in this forum—and Dorset Young Chamber. I chaired the steering group when it was set up in 2016. It touches 13 schools, and not just in my constituency but right across Dorset. Ian Girling, the indomitable chairman of the Dorset chamber of commerce and industry, set up Dorset Young Chamber in response to an annual Ofsted report to Parliament in December 2015 that outlined the importance of strong careers advice and guidance and the firm need to improve the link between schools and employers. If we are to ensure that recent trends in employment rates continue, that will be absolutely crucial.

As part of the Dorset Young Chamber scheme, each school has a link with one local business that it can call on to help with careers advice, with an individual talk, or just to be that link between education and employment. The key is so often that young people see the purpose of their academic work and where it will actually lead in the end. I believe that is an invaluable link between education and employment and that that model could and should be adopted across the rest of the country.

I have tried to refrain from using too many statistics, but they are important and show just how far we have come since 2010. When it comes to employment, and especially the lives and job prospects of young people, we of course must not be complacent. We must continue to create the right environment to ensure that businesses expand and grow. I would like the Minister and the Government to keep a laser-like focus on youth employment statistics, not because the statistics are important in and of themselves, but because behind every number is a real person, a young person who is trying to get a job and a good start in life.

9.40 am

Luke Pollard (Plymouth, Sutton and Devonport) (Lab/Co-op): I congratulate the hon. Member for Mid Dorset and North Poole (Michael Tomlinson) on securing this important debate. Sometimes we do not get into the nitty-gritty of the stories behind the statistics, so I would like to focus on that today. In particular, I will focus my remarks, as would be expected of a Plymouth MP, on the experience of Plymouth, which, as we know, is the centre of the world. However, I also want to delve into the statistics and to look at unemployment not in isolation but as part of a basket of measures, because there needs to be greater focus not just on one raw indicator, standing in isolation, but on the broader picture if we are to safeguard the job creation, stability and quality of employment that we all want to see throughout the country.

Unemployment statistics are only one part of the picture, and I am always a bit cautious about Government statistics, whether they were produced under the coalition or the current Government or, indeed, when Labour was in power, because they are designed to tell one part of the story only. Although the overall jobless figures may be falling, which is to be welcomed, in-work poverty, insecure employment and the use of zero-hours contracts are rising. Food bank use is up. The housing crisis continues, and the welfare system continues to be cruel, all too often creating poverty and worry, where it should be achieving the opposite.

Michael Tomlinson: The hon. Gentleman will forgive me for interrupting him so early in his remarks, but I want to take him back to what he said about statistics. I agree that we should be cautious and have a healthy scepticism about statistics, but, of course, the statistics under discussion are ONS statistics, not Government statistics, so perhaps we can lend them greater weight than a sceptical public otherwise might.

Luke Pollard: Indeed. The hon. Gentleman makes a good point. How statistics are presented by Government can sometimes devalue some of the credibility that the original source may provide, and I am sure that we can all bring to mind examples of that. On the subject of statistics, I am a great believer in the way inflation is calculated. If hon. Members will indulge me for a few seconds, I will explain. Inflation is calculated by taking a basket of measures, of everyday goods, and calculating the inflation rate based on the real-world experience of many measures, many goods, not just one of them. In that sense, a basket of measures can create a fuller, more thorough illustration of what is actually happening.

The reality gap between individual employment statistics and the lived experiences, especially of young people, would be addressed much more thoroughly by having a basket of measures than by focusing just on the jobless figures or any other singular reality. I suggest that when we look at how we talk about unemployment statistics, employment statistics and debt, we look at a basket of measures, which needs to include employment, wages and wage growth, in-work poverty, child poverty, homelessness and temporary housing, disposable income, the number and penetration of zero-hours contracts and especially their demographic targeting, benefit take-up, sanction levels, household debt and overall personal indebtedness. Perhaps those things could be wrapped up together as a new basket of measures whereby we can look at the lived experience of people in employment, because all too often the fact that someone is in a job and that there is a tick beside that box is what is presented by Governments of all colours. We know that the lived experience of people in work, especially in today’s economy, where simply having a contract does not guarantee that someone will get any wages at the end of the week or month, devalues some of the credibility that the jobless figures or employment figures may have carried in the past, when employment was more secure and long term.

Matt Western (Warwick and Leamington) (Lab): My hon. Friend is making a very important point. I thank the hon. Member for Mid Dorset and North Poole
significant under-employment in this country and that, be one of the measures showing that we actually have the number of hours or days available to work? That could be one of the measures showing that we actually have significant under-employment in this country and that, rather than a jobs miracle, we have something of a jobs mirage.

Luke Pollard: My hon. Friend has a way with words. Looking at the measure to which he refers as part of the basket of measures could well be useful. Indeed, we might also look at the number of jobs that individuals have, because although we have seen a rise in the number of people with contracts, many of those are part-time contracts, and people in Plymouth have certainly been telling me of needing not just one job but two, three or, in some cases, four or five jobs to pay their bills, because of the insecurity of those jobs and the hours they provide. Consideration of all those measures together would make possible a more informed value judgment about the state of the economy.

In recent years, we have seen a rapid shift towards a gig economy, and despite calls for an end to zero-hours contracts, many people are still struggling with the precarious nature of those contracts. There are some people who value zero-hours contracts, but my fear about what has happened with zero-hours contracts is that their utility for that small group of people has been overtaken by employers using them as a way of being more flexible with their workforce or cash flow. As a consequence, the utility of those contracts for a small number of individuals, because of the workplace flexibility they provide, has been eroded because they are being used to devalue secure work.

Before I came to the debate, I posted on my Facebook page—if anyone has not visited it, the address is facebook.com/LukePollard—to ask people what their experience was. I said, “I am going to a debate about employment statistics. Can you tell me your stories?” Normally on my Facebook page, I have a few regular posters, as I am sure other hon. Members do. What struck me about the response to this post was how personal, emotional and honest people were in telling me their experiences. If hon. Members have not done this on their own Facebook page, I encourage them to do so, because it helps to create a fuller picture.

Let me give some examples of what people said. Erin, who is one of my constituents, is a qualified secondary school teacher who has been forced to take zero-hours contracts by an employment agency for the past three years. She told me that, despite years of training, she was struggling to find permanent work, and that has impacted her ability to pass the tenancy checks required for private renting. The figure for private renters in Plymouth, Sutton and Devonport is 43.5%, which shows just how important that can be. Erin now plans to leave the teaching profession for good and will be retraining in September. She is just one example of someone we need to retain in their role with more secure work.

Melanie is another example. She worked for three years at Royal Mail in Plymouth. She was on a fixed-term, 20-hours contract that was reviewed every six months. As a single parent, she spoke of the stress that the uncertainty of that brought, as she could never be sure that she would still have a job once the end of her contract rolled around. Although Melanie has managed to secure permanent employment elsewhere, her story is not uncommon.

Those types of lived experience are the stories behind the statistics. I am talking about the frequency of needing to go to another interview to get extra hours and then the concern and worry about what happens if an employer wants their hours to coincide with another employer’s hours. Those are concerns that many in this Chamber may not have experienced themselves, but they are genuine worries for many people up and down the country. That situation is adding to the complexity and inequality within our system.

Colleagues will know of the problems that universal credit has brought to the system. Indeed, the House of Commons Library points out that the roll-out of universal credit, which is taking place in part of the area that I represent but not all of it, skews the jobless figures for this period, so looking behind those figures is a little more complex and complicated than it might have been before universal credit was rolled out. I ask the Minister whether there is a way of navigating through that complexity and that added dimension to see what the underlying picture is. The roll-out of UC complicates that and affects our ability to get an accurate sense of where we are.

Universal credit is failing many people. We know the experiences that have been shared in this Chamber and elsewhere. Our benefits system should not allow people to spiral into more debt, and I am concerned about the sustainability of the system in its current form. Concerns around UC and the roll-out on to UC, especially for people in insecure work—although they may not be in the jobless figures that the Government provide—need to be addressed.

We also need to look at in-work poverty. I believe it is fundamental to most people’s reasons for entering politics in the first place—they on the red team or the blue team—that they want to make the world a better place. The only disagreement I perhaps have with colleagues on the Conservative side is how to do that. In-work poverty should be anathema from the perspective of the Labour party, the Conservative party and other parties as well. We all aspire to help people into work so that they can provide for their families through the hard work of their own labour. If someone is in work and still unable to provide for their family, something is wrong with our economy.

We know that that is the case in Plymouth and elsewhere at the moment, because we are seeing a rise in food bank use. One day I hope that we will no longer need food banks and that the fantastic volunteers who staff them can be redeployed to other endeavours. However, I know that food bank use is going up, and having seen the work of the fantastic soup kitchens and soup runs in Plymouth, I know that demand is increasing among not just rough sleepers, but those in insecure work and temporary accommodation, who cannot make ends meet and who struggle to feed themselves and their families.

I highly recommend that Members of Parliament and those watching at home go out on a soup run. It is an eye-opener in terms of the lived experiences of those
in our communities whom we may not see during the day. When they are handed a pasty or a banana from the back of an old Transit van—as happens every now and then in Plymouth—they give back stories and gratitude. It is a really humbling experience to see people who, in many cases, are now in work but still struggling to make ends meet.

We need safeguards to help those who are struggling to break into the job market and permanent employment, as well as to help those who are in the job market by making sure that work can truly pay. That is not where we are at the moment, and that is especially true for those with disabilities. One of my constituents, Jo, who works in the employment sector, told me that the job opportunities advertised for students and graduates often involve temporary contracts in low-skilled roles. Similarly, Mat, from Plymouth, shared his experience of having high-functioning autism and described his job search as “impossible”. That should shame us all. The challenge for us is how and where we present job adverts, what the employment process is and the jobs themselves. I am concerned that the lack of opportunities is impacting people in Plymouth on a personal and economic level, and we must act to contain the ongoing effects of not only unemployment, but under-employment and the impossibility of getting employment in many cases.

Many hon. Members will know of my desire to talk about transport. I occasionally talk about trains in this place. Connectivity for the far south-west is a complicating factor in the economic performance of Plymouth and the wider south-west economy, as it is for many other parts of the country. The investment we need in structural transport, both on road and rail, and bus services within cities, can open up and transform job opportunities.

I want to talk about buses for a moment, because when we look at under-employment, one concern that a number of people tell me about is that, without a car, they are sometimes unable to get to their workplace. That is because there is no public transport available or the buses stop at a certain time. That is especially true of low-wage service work. The hon. Member for Mid Dorset and North Poole talked about our hospitality sector. Without decent public transport, it is impossible for those people to get to shops, tourist attractions, cafes and restaurants early in the morning to provide sleepless people with their coffee on the way to work. The concern is that that means some people are spending their already low wages on taxis to get to work before the working day has started, eroding the value of that day’s work for them.

There is a lot we need to do to look behind the statistics. I encourage the Minister to look at whether a collective basket of stories—that human lived experience—that sits behind the unemployment statistics. There are many other things we could add into that basket, such as mental health provision, which I have not spoken about, but I hope colleagues might add to the list in the debate.

So I ask the Minister whether the Department has considered a basket of measures in how it presents these stories, and I encourage all hon. Members to do as I did on my Facebook page and to get the lived experiences of constituents, because it is the most powerful and humbling experience.

9.54 am

John Lamont (Berwickshire, Roxburgh and Selkirk) (Con). It is a pleasure to serve under your chairmanship, Sir Roger. I congratulate my hon. Friend the Member for Mid Dorset and North Poole (Michael Tomlinson) on bringing this important issue to the attention of Parliament today. Our two constituencies could not be further apart on the map, but listening to his remarks about his own constituency, it is clear that many of his concerns regarding youth employment are similar to my own.

I will focus my brief remarks on an issue that is particularly relevant to my constituency in the Scottish borders, namely the problems surrounding low pay. I want to develop some of the themes touched on by the hon. Member for Plymouth, Sutton and Devonport (Luke Pollard). My constituency has higher than average levels of employment. Some 2,700 more people are in work now compared to a low of 2,000 in 2010. That represents a rise of 6.5%. We also have significantly lower than average numbers of people claiming out-of-work benefits. We are hovering around an all-time low. The number is now half what it was in 2013. These are undoubtedly significant achievements. More people in my constituency with the security of a pay package and the positive benefits of being in work is certainly a good thing.

Behind the rise in employment, however, there remains a problem in my constituency: low pay. Many more people are in jobs, but too many of these jobs are low-skilled and low-paid. Gross weekly pay in my constituency is £56 a week lower than the Scottish average and £61 a week lower than the United Kingdom average. That means that employees in the borders are taking home nearly £3,000 less in their pay than the Scottish average. Those on hourly pay take home £1 an hour less than the Scottish average and £1.30 an hour less than the UK average.

We have a significantly higher percentage of self-employed people in the Scottish borders and more lower-skilled jobs, which translate to lower than average weekly pay. I am not here to talk down self-employed people or lower-skilled jobs. They are hugely important. Many of the jobs in places such as Johnstons of Elgin in Hawick, in my constituency, may be classified as lower-skilled, but these are incredibly hard-working people, who produce some of the finest products on the worldwide market. Nevertheless, across the United Kingdom, we need to offer a range of employment opportunities, and the borders certainly has fewer higher-paid jobs than other areas of Scotland or across the UK.
What can be done to address this? There are two important points. The first thing is to ensure that unskilled workers are paid a fair wage and take home more of the money that they earn. That is why I absolutely support the Government’s introduction of a living wage and the continued increase in the personal allowance. Someone who used to be on the old minimum wage on a full-time contract took home around £11,100 a year in 2013. This year the same person, now paid the national living wage, would be taking home £2,600 more, thanks to the increase in the lowest wages and the rise in the personal threshold. That is effectively a pay rise of over 20% to those on the lowest incomes.

Secondly, beyond paying people more, in order to bring more highly skilled jobs to places such as those in my constituency, we need to look at why businesses are not basing themselves there at the moment. The main barrier to businesses in the borders is a lack of infrastructure, both physical and digital. I know that the borderlands growth deal will be looking at this as a matter of priority. A lack of decent broadband and transportation links is undoubtedly holding my area back.

I conclude by commending my hon. Friend the Member for Mid Dorset and North Poole again for securing this debate. I urge all hon. Members to ensure that both the quantity and quality of employment across every part of the United Kingdom is a priority for the Government.

9.59 am

Bill Grant (Ayr, Carrick and Cumnock) (Con): It is a pleasure to serve under your chairmanship, Sir Roger. I congratulate my hon. Friend the Member for Mid Dorset and North Poole (Michael Tomlinson) on securing this debate, albeit for the second time.

We can in no doubt about the progress the Government have made on many fronts, in addition to economic growth, in the last eight years. We should never underestimate the impact that the 2008 financial crash had on our country. By the end of the recession that followed, our employment rate had taken a serious hit. Now, almost 3.5 million more people are in work and the employment rate is at its highest level since records began in the ’70s. That is something we can all be proud of. It is also worthy of note that since 2013, more than 6,000 additional disabled people have gained the dignity and respect of employment, and we can build on that excellent figure through the Disability Confident scheme.

There can be no doubt that it has been a long road, and it has been hard work. The Government have asked the British people to accept some tough choices. The people came with us on an eight-year journey and, like the Government, they can see that that period of hard work and difficult decisions is beginning to bear fruit. Our economy is growing, unemployment is down and we are finally spending within our means.

Of course, there is much more to this debate than simply employment records, as has been said. We must look at the type of work people are undertaking. Are people working part time when they would like full-time hours? Are people being exploited by insecure forms of work? Are wages where we would like them to be? I do not think they are there yet, although the living wage is a help. It is all very well to have record employment, but we must ensure that it is of the right kind.

I do not agree with the Opposition’s overly prescriptive policy of banning zero-hours contracts outright, or of branding all part-time or gig-economy work as bad. It is certainly not, and for many people those contracts work exceptionally well. I have spoken to students who welcome the flexibility of a zero-hours contract and to parents who are perfectly content in part-time positions that allow them to plan their lives around their families—what could be more important in life than family? I have heard from people who enjoy being their own boss, whether they are self-employed, as has been mentioned, or have the backing of an established company in an expanding franchise industry.

Many people have not secured the type of employment they would wish for, so I welcome the fact that the Government have commissioned the Taylor review of modern working practices, and have legislated to ban exclusivity clauses in zero-hours contracts. Those steps are proportionate and sensible, and offer real protection to people in the labour market, while allowing for individual circumstances, choice and preference. I commend the Ayrshire chamber of commerce for its “Developing the Young Workforce” initiative, which is extremely effective and welcome.

I stand in this debate conflicted. On the one hand, I look at the UK figures and the fantastic levels of employment, and I am proud of how far we have come. On the other hand, as a Member representing a Scottish constituency, I have concerns about how the economy north of the border is performing. Regrettably, the Scottish National party has missed five of its economic targets, which has cost more than £80 billion. That is a failure to grow the economy and to support Scottish businesses.

Since 2010, the UK has made great strides. There is further to go and more to do, but the direction of travel is right. I do not want my constituents to be left behind by a Scottish Government who are distracted.

Deidre Brock (Edinburgh North and Leith) (SNP): Does the hon. Gentleman accept that many of the macroeconomic levers that would be required to grow the economy to the level that he talks about still rest with Westminster?

Bill Grant: I am grateful for the hon. Lady’s intervention, but I do not accept what she says. There are plenty of tools in the Scottish Government’s toolbox. There are so many levers that they do not use them, and sometimes they hand them back. The gift of sorting out the economy lies with Holyrood in partnership with the UK Government—not fighting against them, but working with them. That is where future success lies.

We have proven that with hard work, focus and determination, record levels of employment can be achieved and maintained. With progress being made in city deals and growth deals through both Governments working together—that is where the trick is—I am sure that Scotland’s economy will grow over time and that Scotland will, as always, make a significant contribution to the overall UK economy. However, good Governments know that the way to have more money for public services is to expand the economy, not to tax the people.
Deidre Brock (Edinburgh North and Leith) (SNP): It is a pleasure to serve under your chairship, Sir Roger. I commend the hon. Member for Mid Dorset and North Poole (Michael Tomlinson) on securing this important debate on employment rates. He was remarkably upbeat in the face of the pending catastrophe of Brexit and its possible effect on future, and indeed current, employment rates in certain sectors.

I commend the hon. Gentleman’s work with young ambassadors. It is important for young people to get involved in such schemes and I am pleased that he is part of that. I also commend his call for better cross-departmental working to address youth employment and unemployment. As I know from serving on the Public Accounts Committee, there are often calls for that sort of cross-departmental, non-silo approach, and we have to keep on at those Departments, because it is so important and it will make a big difference in those areas.

The hon. Member for Plymouth, Sutton and Devonport (Luke Pollard) gave an excellent speech that countered against the selective presentation of figures by the Government, by Members of the governing party and by Opposition Members, which is very good advice. He also rightly talked of the need for a basket of measures, and about considering the lived experience of people in work, an idea at which the Government should look carefully.

It was good to hear the figures from the constituency of the hon. Member for Berwickshire, Roxburgh and Selkirk (John Lamont), which show a rise in employment generally and among young people, and to hear about his contributions in regard to the ongoing problem of low pay.

I was pleased to hear the hon. Member for Ayr, Carrick and Cumnock (Bill Grant) point out that the nature of employment needs to be examined, which was part of the Taylor review. We are yet to see the full implementation of that review or what parts the Government will act on, but inequities in the type of employment that people undertake must be examined carefully.

It is a Government that had to be dragged kicking and dragging against the selective presentation of figures by the Government, by Members of the governing party and by Opposition Members, which is very good advice. He also rightly talked of the need for a basket of measures, and about considering the lived experience of people in work, an idea at which the Government should look carefully.

As we have heard from several hon. Members, there is some good news about employment rates across the UK, which I warmly welcome. I am pleased about the record lows in unemployment in Scotland and the increase in employment among women. There is lots more to be done to close not just the gender gap, but the gaps in disabled employment rates, as has been mentioned, and for minority ethnic communities. It is also good that the number of young people who are not in education, training or employment fell to 8% in Scotland last year.

The Scottish Government have done a lot of work to create opportunities for young people. They have an excellent, well-established apprenticeship system that the rest of the UK might do well to have a peek at.

My city of Edinburgh has the highest proportion of high-skilled occupations among the major UK cities, including London, and unemployment rates have been lower for the last 10 years. There is a boom in the creative industries and in business start-ups, thanks largely to council and Scottish Government support, as well as the city being such a fantastic place to live. That success brings challenges, but hon. Members should not worry: I am sure we will always find room for friends from the south who are escaping Brexit.

To stay on the positive for a bit longer, it is heart-warming that so many Conservative Members are keen to talk about jobs and employment. What some might see as a Damascene conversion from the days of “Unemployment is a price worth paying” is very much to be welcomed, although I hope it is not just to “drool and dribble they care”, as Margaret Thatcher once said. Reformed and compassionate Conservatives might also want to have a word with their bosses about what I have to describe as the callous approach taken to people who cannot work for whatever reason of cutting cash that puts food on the table, as eloquently referred to by the hon. Member for Plymouth, Sutton and Devonport.

Bill Grant: Where is that compassionate Government when people in Scotland are taxed far more than people in the rest of the United Kingdom?

Deidre Brock: The hon. Gentleman needs to look at the facts, because that is simply not true. [ Interruption.]

No, it is not. If he went back and looked at Scottish Government figures, and did not just listen to his party colleagues spinning that point, that would be good.

Returning to jobs, it is not only having a job that matters, but getting fair pay—enough to live on—and decent working conditions. Here, the UK Government are again falling short of the mark. The UK national living wage is not a real living wage. It is not based on the cost of living; it is a con-trick. The scourge of the working poor continues, as wages are frozen and the cost of living rises. More than two thirds of children in poverty have at least one parent in work—that is a shocking statistic—and a fifth of workers earn less than the living wage.

As has been referred to, we continue to see a rise in the use of zero-hours contracts, which were up 100,000 in 2017, compared with the previous year. It is time to sort that out. We have also seen the regressive Trade Union Act 2016, a deliberate attack on the ability of employees to defend their rights. I cannot see the Government sticking up for the rights of workers any time soon. This is a Government that had to be dragged kicking and screaming through the courts to scrap fees for employment tribunals and allow the poor access to justice. Frankly, I shudder to think what is in store for our rights after Brexit, but I imagine that at least the lawyers will be kept busy, as there will be an awful lot more court cases.

The employment regulations so loathed by right wingers are there to protect us—to ensure that work is safe and fair and that we have a voice when things go wrong. If the UK Government decide that fair work is important, and I hope they do, they could certainly do worse than to look to the Scottish Government for some inspiration. For example, they could look at the Fair Work Convention, which is successfully driving forward a very new approach, and recognise that working in partnership is more productive than just putting the boot in.

The UK Government could also support the Scottish Government in their successful drive to boost jobs in sectors such as food and drink, instead of imposing the self-harm of leaving the EU. We have already read of secret plans to sell out the fishing industry—again—and US demands for a deal that could lower food standards,
end labelling protections and allow cheap US whisky to flood the market. Trade within the EU protects not only standards but jobs—134,000 in Scotland, according to the Fraser of Allander report on Brexit. Ignoring or denying that real and present threat to the employment trends we are considering today is not good politics. It is not working together; it is working against Scotland’s best interests. We cannot just sit back and let that happen.

10.12 am

Margaret Greenwood (Wirral West) (Lab): It is a pleasure to serve under your chairmanship, Sir Roger. I begin by congratulating the hon. Member for Mid Dorset and North Poole (Michael Tomlinson) on yet again securing this debate, and on his work on youth employment as chair of the all-party parliamentary group on youth employment. We have heard some very interesting contributions today, including from the hon. Gentleman himself, and I really look forward in particular to the group’s work on care leavers and prison leavers, who are a matter of concern; I am sure he shares that concern.

We heard a good contribution from my hon. Friend the Member for Plymouth, Sutton and Devonport (Luke Pollard), who quite rightly raised the issues of in-work poverty, insecure contracts and food bank use, all of which have risen, as well as discussing how zero-hours contracts devalue the rights of employees. He also spoke about the importance of looking at a broad range of measures and at the lived experience of work; the testimony he received from his constituency, via his Facebook page, was very interesting.

My hon. Friend the Member for Warwick and Leamington (Matt Western) made a useful intervention about the question of the availability of hours for people in insecure work, and said that rather than looking at a “jobs miracle” we are looking at a “jobs mirage,” which I thought was a pertinent way of describing the situation.

I welcome the fact that the hon. Member for Berwickshire, Roxburgh and Selkirk (John Lamont) spoke about the particular issues that rural communities face. He also called for the quality and quantity of work that is available to be a focus for the Government across the board.

The hon. Member for Ayr, Carrick and Cumnock (Bill Grant) said that he did not agree with banning zero-hours contracts. I have to disagree with him on that, and I remind him that the number of people on zero-hours contracts is heading towards a million, so it really is a significant issue and I will touch on it later in my speech.

The hon. Member for Edinburgh North and Leith (Deidre Brock) quite rightly called for fair pay—enough for people to live on—and pointed out that the national living wage is not, of course, an actual living wage. For people to live on—and pointed out that the national living wage is not, of course, an actual living wage. It is not working together; it is working against Scotland’s best interests. We cannot just sit back and let that happen.

The Resolution Foundation predicts that this decade is likely to be the weakest decade for real pay growth in almost two centuries. Some 20% of Britain’s 35 million workers earn £15,000 a year or less, and a recent report by the Centre for Social Justice forecast that the pay of those workers in particular would be squeezed over the next decade, as a result of trends such as the growth of the gig economy, automation and global competition. So can the Minister tell us what action the Government will take to improve the prospects of low-paid workers and what investment they will make in skills?

Around 8 million people are living in poverty in the UK, even though at least one person in such households is in work, and of course many people move in and out of low-paid work. Universal credit was originally aimed at smoothing the transition into work and at making work pay, but the cuts to work allowances announced in the summer Budget of 2015 severely damaged the work incentives that universal credit offers.

Reports by independent organisations such as the Resolution Foundation and the Equality and Human Rights Commission have made it clear that the increase in the national living wage and personal allowance do not compensate for the cuts to social security since 2010 for people on low income, with disabled people and single parents being hit especially hard.

According to a TUC report, the public sector pay cap, coupled with cuts to in-work support, means that the number of children in working families growing up in poverty will be 3.1 million this year, which is 1 million higher than in 2010. Will the Government listen to the call from the TUC and Labour to reverse the cuts to work allowances in universal credit and abolish the pay cap across the public sector, which Labour has committed to doing?

There are deep inequalities in the labour market, on the basis of where people live, ethnic background, gender, age and disability. The Government have repeatedly failed to address those inequalities, despite the Prime Minister’s fine words outside No. 10 Downing Street on coming to power. More than eight out of 10 companies employing more than 250 staff—such companies were required to report on their gender pay gap in April—paid men more than women and three out of 10 of them had a gender pay gap higher than the national median of 18%—in some cases it was over 50%. So now we know about those companies, but they will not face any action as a result, except perhaps reputational damage. Labour would introduce fines for companies that have a high gender pay gap that they have failed to reduce. Are the Government going to act on the gender pay audit, and if not, why not?

According to the Prime Minister’s race disparity audit, around one in 10 adults from a black, Pakistani, Bangladeshi or mixed background are unemployed,
organisations such as Centrepoint are concerned that to be intensive support, they are required to take up an youth obligation. After six months of what is supposed the y outh obligation. After six months of what is supposed to be intensive support, they are required to take up apprenticeship, training or a work placement. However, organisations such as Centrepoint are concerned that young people who face the greatest challenges in finding work—for example, care leavers—might need longer than six months and more personalised support to get to the point where they can do that. The all-party group has also made that point, stressing the importance of young people with greater challenges being given support in the first instance to develop basic skills. Can the Minister tell us what percentage of young people have found work through the youth obligation so far? Will he look at the case for personalised support for young people on universal credit through specialist work coaches?

The European social fund is a vital source of funding for employment support at the local level for disabled people and young people who are NEET, for example. In the present funding round for 2014 to 2020, the UK is receiving around £500 million a year, but ESF funding is important not only for the direct support it provides, but for attracting funding from other sources. The Government have announced that they will create a shared prosperity fund to replace the ESF, but time is running out to have a successor ready in time. They have said that they will publish a consultation some time later in the year, but no timescale has been announced. Can the Minister tell us when the consultation will take place? Can he tell us what he is doing to ensure that there will be no gap in the provision of employment support when ESF funding comes to an end?

Young people are also more likely to be working part time, in temporary employment or on a zero-hours contract than workers who are older. It is little wonder that the chief executive of the Financial Conduct Authority warned last year about levels of debt among young people that are built up in just trying to cover basic bills. Women are especially likely to be in part-time or insecure work. Some 55% of people on a zero-hours contract are women, and 45% are men. Similarly, a high proportion of people from some ethnic minority communities are more likely to be in part-time or insecure work. According to the Government’s race disparity audit, more than one in four Pakistani and Bangladeshi workers were employed in distribution or in hotels and restaurants, and one in five were in transport and communications industries, where low-paid, insecure work is common. Around 900,000 people are on zero-hours contracts.

More than half the zero-hours workers in a TUC survey said that they had shifts cancelled at less than 24 hours’ notice. People with caring responsibilities simply cannot afford to take shifts at such short notice. Having made provision for childcare, to then have a shift cancelled is particularly frustrating and expensive. Three quarters of the people responding to the survey said that they had been offered shifts at less than 24 hours’ notice, and a third said that they had been threatened that they would not be given shifts in future if they turned down work. How are people supposed to manage their finances and their lives when they are on zero-hours contracts—when they do not know how much money will be coming in each week and how much childcare they are likely to need? Will the Government ban exploitative zero-hours contracts, as Labour would?

The hon. Member for Berwickshire, Roxburgh and Selkirk spoke of the importance of the work of self-employed people. In evidence to the Work and Pensions Committee in January, the director of universal credit at the Department for Work and Pensions said clearly: “Self-employment is a cause of in-work poverty.”
We should all be alarmed by that statement. The number of self-employed people has increased. They now make up about 15% of the workforce, or 4.8 million. That figure is for 2017, and includes roughly 12% of 3.3 million in 2001. The design of universal credit means it can fail to protect self-employed people on low income from poverty. Under the minimum income floor, self-employed people claiming universal credit are assumed to be earning the equivalent of 35 hours at the national living wage after a year, even though in many cases their earnings may be much less. That is exactly why they need to claim universal credit.

In conclusion, high rates of employment should be good for those who are employed. They should mean higher wages and more security, but in reality people can face years as agency staff on temporary contracts, and zero-hours workers can have shifts cancelled at less than a day's notice, with all the insecurity that that brings. It is little wonder that the TUC has reported that warned with great conviction that the Government's policies would lead to a big increase in unemployment. That is exactly the same annual income as someone who is an employee, can be entitled to less universal credit because they are short of money, and zero-hours workers can have shifts cancelled at less than a day's notice, with all the insecurity that that brings. It is little wonder that there were many siren voices on the Labour Benches and whether they are all in London and the south-east.

Alok Sharma: I will of course come on to discuss precisely those points, because they are important.

The labour market statistics published last month by the independent Office for National Statistics—I point out once again to the hon. Member for Plymouth, Sutton and Devonport (Luke Pollard) that it is independent—show that employment in the United Kingdom reached a record high in the last quarter of 75.6%. That was the 17th new record employment rate since 2010. Employment is up by more than 3 million since 2010. I place on record my thanks, as my hon. Friend the Member for Mid Dorset and North Poole did, to all the businesses and organisations across our constituencies that have created those jobs. The unemployment rate has fallen to 4.2%, which is a 40-year low. As my hon. Friend pointed out, there are now more than 800,000 vacancies across our economy.

Those who cannot quite accept that positive trend will say that all those jobs are low paid and temporary, but that is absolutely not true. Some 70% of the increase in employment has been in higher skilled occupations that pay higher salaries. Three quarters of them are full time and permanent.

A point was made about where those jobs are created and whether they are all in London and the south-east. I can confirm that 60% of the growth in private sector employment since 2010 has been outside London and the south-east.

Various colleagues, including the hon. Member for Wirral West (Margaret Greenwood), made a point about zero-hours contracts. Such contracts represent less than 3% of all people in employment. The hon. Lady is right to say that that is around 900,000 people, but the number is down on the year. On average, someone on a zero-hours contract usually works 25.2 hours a week. Again, of those who stated a preference—to be clear, this is in the ONS's own labour force survey—only 30% of those on a zero-hours contract stated that they wanted to work more hours. So when the hon. Member for Plymouth, Sutton and Devonport talks about only a small number of people valuing such flexibility, I have to say that that is not what we see from the independent figures—a point well made by my hon. Friend the Member for Ayr, Carrick and Cumnock (Bill Grant).

Margaret Greenwood: I thank the Minister for giving way again; he is being very generous. Is he aware of the issue of sexual harassment in the workplace among staff on zero-hours contracts? What advice would he
give to a young woman on such a contract who is experiencing that? Where can she go for support? How can she tackle it, and how can she remain employed, but in a safe environment?

Alok Sharma: Frankly, any kind of bullying and any such acts are completely unacceptable, whether someone is on a zero-hours contract or a full-time contract. As the hon. Lady knows, there are avenues open to people, but if she has specific cases, she is welcome to come and talk to me about them. It is important that we have flexibility in work patterns, which is what zero-hours contracts allow, but it is also right that the Government have banned exclusive zero-hours contracts.

We have discussed employment outcomes by groups. If we look at some of the groups that have historically been under-represented in the employment market, we have seen a significant improvement in their participation in the workforce. The hon. Member for Edinburgh North and Leith (Deidre Brock) welcomed the record high of 71.2% in the female employment rate, which I of course welcome as well. There are now more than 3.8 million people from ethnic minorities in work—an increase of 1.1 million since 2010. The ethnic minority employment rate currently stands at 65.1%, which is a record high. However, I completely accept that the employment gap between ethnic minorities and the white population is too high, at 12%, and we are working to address that. If I have time, I will talk about the response to the race disparity audit.

My hon. Friend the Member for Ayr, Carrick and Cumnock talked about disabled people. We have seen a welcome rise in the employment of disabled people—600,000 in the past four years—to around 3.5 million people today. He also talked about the Disability Confident scheme. More than 6,000 employers are involved in that and in Access to Work support. That is really important in encouraging everyone in our country who aspires to work to have an opportunity to do so.

My hon. Friend the Member for Mid Dorset and North Poole made a powerful opening speech and highlighted the excellent work of the all-party group on youth employment, which he chairs. He has shared with various ministerial colleagues reports from inquiries that the APPG has conducted. Of course, I would be delighted to come to the APPG to discuss its work and to meet the youth ambassadors, who I am sure will ask challenging questions. As my hon. Friend highlighted, we have made progress on youth employment. The employment rate for those not in full-time education stands at 74.9%, and youth unemployment is down by 40% since 2010.

My hon. Friend made international comparisons, some of which I will repeat. The UK youth employment rate is 18.3 percentage points above that of the euro area and more than 16% above the EU average, but of course I agree with him that we need to do more. We therefore have a skills agenda, with a focus on apprenticeships and technical education. Colleagues have talked about the youth obligation support programme, which started in April last year, and about the ability to get work experience. We have also been encouraging work-based academies, which I think have been very successful.

My hon. Friend talked about whether there should be better working across Government on these issues. Of course, many are joined up. I can confirm that we have a number of taskforce initiatives where Ministers work together. He will be pleased to know that straight after this debate I will be having a meeting with the Minister for Apprenticeships and Skills to discuss precisely these issues.

The Government are funding lifelong learning pilots, investing in a national retraining scheme, and delivering basic digital skills and careers advice for older workers who need them. We are also ensuring there is support to assist those with a health condition or disability, to make sure they are able to access the support they need to move into work.

On the cost of living, I know that all Members will welcome the fact that the ONS reported last month that salaries are starting to outpace inflation. I certainly want to see that very welcome trend continue. We absolutely recognise that people need additional support with living costs, and we have been providing that support. We have recognised that high childcare costs can affect parents’ decisions to take up paid work or increase their working hours. That is why, by 2019-20, we will be spending around £6 billion a year on childcare support. That includes 30 hours’ free childcare for working parents of three and four-year-olds. Within universal credit, claimants are eligible to claim up to 85% of their childcare costs. The outcome from independent evaluation in areas of early introduction shows that, with increased childcare support, parents are able to work more flexibly and increase their hours. We are championing shared parental leave and have introduced a right to request flexible working.

My hon. Friend the Member for Berwickshire, Roxburgh and Selkirk (John Lamont) welcomed the increase in personal allowances, which means that a typical basic rate taxpayer now pays more than £1,000 less in income tax than in 2010. We also introduced the national living wage in 2016, which increased by 4.4% this April. Thanks to the national living wage, full-time minimum wage workers have had a boost of £2,000 since 2016.

Numerous colleagues, including the hon. Members for Edinburgh North and Leith and for Plymouth, Sutton and Devonport and my hon. Friend the Member for Berwickshire, Roxburgh and Selkirk, talked about job quality and the Matthew Taylor review. Although we need to continue to work to maintain high levels of employment, I absolutely agree that we must also address the important issue of job quality. Among its recommendations, last year’s Taylor review asked the Government to focus on the quality of work and to identify a set of measures to evaluate job quality.

A strand of the Government’s industrial strategy has a focus on the creation of good jobs and greater earnings power for all, so the Government have outlined five foundational aspects of good work: overall satisfaction; good pay, which includes perceptions of fairness relative to one’s peers; participation and progression in the workforce, which includes the ability to work flexibly and acquire new skills; wellbeing, safety and security at work; and voice and autonomy in the workplace. It is self-evident that if people feel a sense of control over how they carry out their job, they will generally feel much more positive about it. The Government are
working with experts to identify a set of measures against which we can evaluate quality of work, and I certainly look forward to the outcome of that work.

I have time to go through a number of points that colleagues have raised. My hon. Friend the Member for Mid Dorset and North Poole talked about the hospitality industry, and we absolutely want to see a strong and vibrant hospitality sector. I recently met Brigid Simmonds, chief executive officer of the British Beer & Pub Association, to talk about the hospitality sector. In February this year, the Department for Work and Pensions ran the annual Hospitality Works campaign, which aims to raise awareness of the thousands of great career options that exist in the sector and to showcase some of the key employers we work with.

Luke Pollard: Yesterday, in Question Time, the hon. Member for St Austell and Newquay (Steve Double) raised the issue of introducing a seasonal hospitality workers scheme similar to the agricultural workers scheme. The one thing we know is that, after Brexit, there is a real risk that many roles in the hospitality sector could be eroded by the lack of available labour, which would impact on the domestic market, as well as on incoming tourists. Will the Minister briefly reflect on that?

Alok Sharma: I am, of course, happy to reflect on that. Perhaps it would be useful to have a discussion with the hon. Gentleman after the debate on any thoughts he may have.

The hon. Gentleman mentioned the claimant count, which is down significantly in his constituency from 2010. However, the claimant count is no longer a consistent indicator. The ONS has acknowledged that and removed it from its monthly labour market statistics. As he will know, we have launched a consultation on a new measure, and I hope that he and all colleagues will take part in that. Previously, the claimant count looked at people purely on jobseeker’s allowance, whereas now, with universal credit, which is both an in-work and out-of-work benefit, those numbers are increasing. They do not necessarily have a bearing on what is going on in the labour market, but clearly we need a consistent set of figures. I hope that colleagues will respond to that consultation, which closes on 21 July.

The hon. Gentleman also raised the issue of in-work poverty for working-age adults. Whichever way one looks at it, poverty rates, whether relative or absolute, or before or after housing, are lower than in 2010. Adults in workless families are four times more likely to be in poverty than those in working families, which is why we are keen to see more people move into employment.

The hon. Gentleman also mentioned people with disabilities. I have talked about the Disability Confident scheme and the Access to Work scheme. The number of people with disabilities in work has increased significantly over the last four years. That is something that both he and I greatly welcome. He also made a point about having a basket of measures. The Government already use a range of measures to assess labour market performance. We look at not only employment rates, but pay and productivity, security of work, and employment that by labour market group—we have already talked about women, people from ethnic minority backgrounds and older workers.

My hon. Friend the Member for Berwickshire, Roxburgh and Selkirk raised the issue of productivity. That is an important point, in the sense that our productivity levels have lagged behind those of some of our peers for a long time. That is why we now have a national £31 billion productivity investment plan, focused on exactly the sort of issues that colleagues have been highlighting, such as housing, physical infrastructure, digital infrastructure and, of course, research and development.

The hon. Member for Edinburgh North and Leith mentioned the working relationship between Westminster and the Government in Scotland. Actually, I have had a very good set of conversations with the Minister for Employability and Training in Scotland. In fact, when we spoke about Fair Start Scotland in our last conversation, he highlighted that as an example of the UK Government and the Scottish Government working well together. Of course we want to work together, but it requires both parties to come to the table when there are decisions to be made.

The hon. Member for Wirral West talked about the gender pay gap and the race disparity audit. That audit was conducted under a Conservative Government, by a Conservative Prime Minister who cares deeply about the issue. It is the first time that such an audit has happened, and I know the hon. Lady will welcome it. In terms of the plans we have to assist people, we have identified 20 challenge areas where the employment gap between the white population and the black and minority ethnic population is quite large. We are looking at a number of pilot schemes to see what can eventually be rolled out across the country.

The hon. Lady talked about public sector pay. As she will know, the Government ended the 1% pay policy in September last year, and pay review bodies will now come forward with proposals for pay that will be considered by the relevant Ministers. We have already announced that many of the lowest paid NHS workers will see double digit pay rises over the next three years.

I think I have answered many of the points that were raised, so I will conclude by saying that the recent trends in employment are very positive. It is a welcome development that we are starting to see wages outpace inflation, and the Government are enacting measures to help people with the cost of living. We are ensuring that our population, both younger and older workers, are able to upskill for the jobs of the future.

10.45 am

Michael Tomlinson: I am grateful to the Minister and to all colleagues who have contributed to today’s debate. The hon. Member for Plymouth, Sutton and Devonport (Luke Pollard) said that we must look at the stories behind the statistics. I completely agree, and I hope that he gave a sense of that in my speech as well. The Minister has answered the hon. Gentleman’s point about having a basket of measures, but I believe that we should perhaps do the same thing more broadly when we look at poverty—we should use a broader range of measures to look at that issue. The hon. Gentleman made a very interesting point.

The Minister responded to the point made by the hon. Member for Warwick and Leamington (Matt Western) about the jobs “mirage”. I do not think that a fair look
at the independent statistics bears out the hon. Gentleman’s soundbite, although I was pleased that he was able to make it to the debate, albeit for a short time.

My hon. Friend the Member for Berwickshire, Roxburgh and Selkirk (John Lamont) raised a lot of issues that many of us in more rural constituencies will recognise, particularly on infrastructure and the importance of digital infrastructure, which is a vital part of the infrastructure that we need. He also mentioned the importance of getting more high-skilled jobs.

I was pleased that my hon. Friend the Member for Ayr, Carrick and Cumnock (Bill Grant) raised the issue of the Disability Confident scheme. We must ensure that we narrow the disability employment gap. Importantly, he mentioned the Matthew Taylor review. The hon. Member for Wirral West (Margaret Greenwood) mentioned zero-hours contracts, but my hon. Friend the Minister made a very good point about cutting down on exclusivity clauses. That point was particularly welcome.

The hon. Member for Edinburgh North and Leith (Deidre Brock) accused me of perhaps being overly rosy, not least about Brexit. Perhaps the hon. Member for Wirral West was also being a little pessimistic in her outlook, but I welcomed some of her thoughts. However, I was pleased that the Minister had time to make some points about zero-hours contracts in his response.

Finally, I was particularly pleased by the Minister’s comments on cross-departmental working. That is a key message, and it is something that must continue in not just this area but all areas. I am pleased that he has accepted the invitation and the challenge to come to the all-party group.

Question put and agreed to.
Resolved.

That this House has considered recent trends in employment rates.

10.47 am
Sitting suspended.
of late, so it would make strategic sense to base some ships—perhaps not the whole fleet—in Scotland, and particularly in Rosyth.

Luke Pollard: The hon. Gentleman will forgive me if I disagree with base-porting older frigates there, but the idea of forward-deploying the Type 31e frigates, which I will come to in a moment, and basing them in locations other than just their base port is a good one, and he might want to pick up on that.

Devonport already has the skills and expertise to base the Type 23s. Indeed, it is argued that we already have Type 26s in Devonport. I say that because HMS Argyll—a Type 23 frigate that is already equipped with much of the tech of a Type 26—is already one of our ships there. The hulls might need renewing, but that Type 23 frigate, which I was very pleased to visit on choppy seas earlier this year, is already carrying the combat systems—the tech and operational control functions—of a Type 26 frigate. Much of the crew of the first Type 26—HMS Glasgow—are already probably serving on Devonport-based Type 23s.

With quick access to the deep water of the north Atlantic, Devonport is ideally suited to counter the threats in the Atlantic and to support the continuous at-sea deterrent and carrier strike. Devonport has another ace up its sleeve: we are home to the world-class Flag Officer Sea Training establishment, under Admiral John Clink, who will retire shortly. Plymouth and navies around the world, including our own, are indebted to his leadership. FOST is the final hurdle that a ship and its crew must clear before being sent on missions around the globe. It is a jewel in the crown of the British armed forces and, like all good things in Plymouth, we rarely tell anyone about it. As a proud janner—someone born in Plymouth who lives in Plymouth—I feel I can say that Plymouth all too often hides its light under a bushel, and then hides the bushel. That has been the case with FOST, and I think we should speak loudly and proudly about its global role. Given the location of FOST, Devonport’s experience of basing anti-submarine warfare frigates, and its geographical position, there is a good case for allied nations using it more as a quick reaction base for surface ships. I encourage the Minister to look creatively at inviting NATO forces to use Devonport’s superb facilities in the months and years ahead.

The people of the Royal Navy are the backbone of the fleet. The crews of the Type 23s with tails have already made Devonport and Plymouth their home. They have found schools for their children and homes, and they have a genuine connection to our city and the areas around Plymouth. Those people will provide the leadership, specialist trades, expertise and crews for the new Type 26 frigates.

Mr Gary Streeter (South West Devon) (Con): The hon. Gentleman mentions the importance of the crew to the local economy—they are very much part of our culture. He is probably aware of a study that either the council or the university—I forget which—did about 10 years ago. It showed that, surprisingly, quite a large proportion of the crew of any ship base-ported in Plymouth—or anywhere else, I imagine—live elsewhere in the UK, but a hard core, or a significant minority, live in Plymouth or the port area. They have a significant role in boosting our local economy and being part of the local social fabric.

Luke Pollard: The hon. Gentleman is exactly right. It is really important that we value the people who serve on our ships and, importantly, the people out of uniforms—the civilians—who support the base-porting of the ships and the jobs that result from that.

Many of the warfare and technical specialists who use the combat and operating systems on the Type 23s and Type 26s already live in a PL postcode. As south-west Members know, the PL postcode extends far and wide across the far south-west, as it should do. Preserving those roles and those people in our region is paramount in this basing decision. Confirming Devonport as a long-term naval anti-submarine warfare centre of excellence would support forces families as well as strategic efforts.

Kevin Foster (Torbay) (Con): I congratulate the hon. Gentleman on securing the debate. I am sure he will recognise that this is about not just the PL postcodes but the TQ postcodes of south Devon. Many of the workers whose skills will be of benefit to the future Type 26 programme live and work there and commute to Devonport every day. To base-port the frigates in Devonport would boost the wider regional economy, not just Plymouth’s.

Luke Pollard: I thank my near-neighbour for that comment. It was foolish of me to forget our friends up the A38, which I hope will soon be the M5.

Jim Shannon (Strangford) (DUP): I too congratulate the hon. Gentleman on securing the debate. It is important that we in this House acknowledge the very proud service history that he has referred to in his constituency. This is due serious consideration. Having the frigates based there will ensure job security and will send a very clear message that the modern defence strategy incorporates the ability to place ships strategically in strong defence areas. The hon. Gentleman represents one of those areas.

Luke Pollard: I thank the hon. Gentleman for that contribution. I agree that it is important that we build on the areas of expertise we already have. In Devonport, Plymouth and the wider south-west we have military expertise and a close connection with the armed forces, which aids recruitment.

The context of this debate matters. It is not just frigates that are based at Devonport naval base and serviced in the dockyard, but amphibious ships. When the news of the threats to HMS Albion, HMS Bulwark and the Royal Marines was first mooted last summer, I called for clarity and for Ministers to rule out those cuts. Some said that I was scaremongering, but the threat to those ships was real then and sadly is real today, as is the threat to HMS Ocean, our amphibious helicopter carrier, which will shortly leave Devonport for the last time and join the Brazilian navy as PHM Atlântico. That is when I launched the campaign to fight for more frigates in Devonport. I believed that we needed not just one extra Type 23 with a tail transferred
from Portsmouth, but a commitment to make all the Type 26s and Type 31s Devonport-based, too. At the time, I said:

“I’m no longer content with Devonport being on the defensive and today call for all of the new Type 26 and 31 Frigates to be based in Devonport alongside our world class amphibious ships.”

Most of the Type 31e frigates, which will join the Type 26s as part of the replacement for the Type 23s, will be forward-deployed. The Type 26s will not be, so their basing arrangement is perhaps the bigger win for any locality, even if the Type 31e frigates may be with us sooner than 2026 for their larger sister ships. I also believe that the Type 31s should be based in Devonport, even if that is more paper-basing than base-porting in the traditional sense, due to the forward-deployed nature of many of the new lighter frigates.

In January I led a Westminster Hall debate on the Government’s national shipbuilding strategy. I made the case to the Minister for why Devonport is a world-class naval base and why it should be home to the Type 26s. The energy behind the will to base the frigates there also arises from the local community in the far south-west to protect our amphibious warships. The petition that I launched to preserve the amphibious ships and the Royal Marines attracted 30,000 names, the bulk of them from the far south-west, although the Minister will be pleased to hear that 34 people in his constituency also signed it.

Since then, however, we have seen further threats to our city with the confirmation that Stonehouse barracks, the spiritual home of the Royal Marines, is to close, as is our city with the confirmation that Stonehouse barracks, also signed it.

Luke Pollard: I agree entirely. The remark about the apprentice who will work on the last of the Type 26 will not be born until 2026, but be precise, five too few—and that we are not replacing all Type 23s with a Type 26. However, there is no doubt that this ship is world-class, can be put in harm’s way, will have the capabilities of a modern navy, and will be the envy of our allies and a worry to our opponents. Numerically, our fleet is small compared with that of Russia or China, but our capabilities are miles ahead. Indeed, these are ships that our allies may well sail as well.

Johnny Mercer (Plymouth, Moor View) (Con): The hon. Gentleman may be slightly mistaken. The announcement of the rebasing strategy was in 2015, long before the current process. This is not about party politics, because over the years Governments of all colours have not paid enough attention to Plymouth, but if the rebasing strategy happens and the Type 26s can be base-ported in Plymouth, does he agree that this Government shall actually see a growth in the military for the first time in a generation, and that is to be welcomed?

Luke Pollard: I do not want to use any time saying why other bases would not work for the Type 26, because Plymouth and Devonport’s case is sufficiently compelling. Portsmouth is a good base for the carriers, the Type 45 destroyers and the OPVs, or offshore patrol vessels. Devonport should be home to frigates, refits and the Royal Navy’s amphibious capabilities—not all the Royal Navy, just the best bits.

However, we must be under no illusion: the new frigates should not be based in Devonport simply as a sop for losing the amphibious ships. We have fought a cross-party campaign across Plymouth on three fronts: frigates; amphibious ships and Royal Marines; and our legacy submarines. We need to win on each of them, and we cannot afford to lose any one element.

The Minister knows that I have had concerns about the Type 31e and how lightly armed it is, but I have no such concerns about the world-class Type 26. It is a ship that our nation should and will be proud of. It is being built in Scotland.

Douglas Ross (Moray) (Con): Saying that, the hon. Gentleman allows me to ask whether he agrees that the fact that the Type 26s are being built on the Clyde shows the importance of Scotland’s place in the United Kingdom, both for UK defence capabilities and for the shipbuilding industry on the Clyde.

Luke Pollard: I agree entirely. The remark about the apprentice who will work on the last of the Type 26 frigates not being born yet shows what a long-term commitment to British shipbuilding the Type 26 programme represents and how important it is for us to secure other shipbuilding contracts, such as that for the fleet solid support ships, so that such ships are built in British shipyards, which many people across the House believe should be the case.

The Type 26 will be a world-class ship. My only concern is that there are too few of them—to be precise, five too few—and that we are not replacing all Type 23s with a Type 26. However, there is no doubt that this ship is world-class, can be put in harm’s way, will have the capabilities of a modern navy, and will be the envy of our allies and a worry to our opponents. Numerically, our fleet is small compared with that of Russia or China, but our capabilities are miles ahead. Indeed, these are ships that our allies may well sail as well.

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Douglas Ross (Moray) (Con): Saying that, the hon. Gentleman allows me to ask whether he agrees that the fact that the Type 26s are being built on the Clyde shows the importance of Scotland’s place in the United Kingdom, both for UK defence capabilities and for the shipbuilding industry on the Clyde.

Luke Pollard: I agree entirely. The remark about the apprentice who will work on the last of the Type 26 frigates not being born yet shows what a long-term commitment to British shipbuilding the Type 26 programme represents and how important it is for us to secure other shipbuilding contracts, such as that for the fleet solid support ships, so that such ships are built in British shipyards, which many people across the House believe should be the case.

The Type 26 will be a world-class ship. My only concern is that there are too few of them—to be precise, five too few—and that we are not replacing all Type 23s with a Type 26. However, there is no doubt that this ship is world-class, can be put in harm’s way, will have the capabilities of a modern navy, and will be the envy of our allies and a worry to our opponents. Numerically, our fleet is small compared with that of Russia or China, but our capabilities are miles ahead. Indeed, these are ships that our allies may well sail as well.

I hope that Canada chooses the Type 26 platform for its six new frigates and that our cousins down under order nine of them for the Royal Australian Navy’s future frigate programme. There is cross-party support for selling not only the design of the platform but the expertise in the supply chain, because not all the export jobs for the frigates will be in building hulls, but in weapons, combat systems and other support items on the frigate, supplying value to the entire British supply chain.

I do not want to use any time saying why other bases would not work for the Type 26, because Plymouth and Devonport’s case is sufficiently compelling. Portsmouth is a good base for the carriers, the Type 45 destroyers and the OPVs, or offshore patrol vessels. Devonport should be home to frigates, refits and the Royal Navy’s amphibious capabilities—not all the Royal Navy, just the best bits.

Back in June last year, in my maiden speech, I called for more capable frigates, which the capabilities of the Type 26 deliver. Shortly after winning my seat in the general election, I wrote to the then Defence Secretary asking for a new Type 26 to be named after Plymouth. That was a campaign started by my predecessor, Oliver Colville—formerly the Conservative MP. I supported it as a candidate, and I continue to do so now as an MP. I want to see one of the new city-class ships named after
Plymouth, but there is little point naming her after Plymouth if she is to be based in Portsmouth, as I am sure the Minister understands.

With others, I have been working hard to lobby Ministers, making the case for Devonport. This has been a team effort, and our case is strongest in that cross-party spirit. I have also been lobbying colleagues on the Labour Benches. I am really pleased that Labour has backed my campaign, pledging that a Labour Government would base-port all Type 26 frigates in Devonport. Whether that Labour Government is sooner or later, the shadow Defence Secretary, my hon. Friend the Member for Llanelli (Nia Griffith), is right when she says that Devonport’s case for the new frigates is “compelling, comprehensive and convincing”. I agree with her on that.

Plymouth’s three Members of Parliament—all present today—the Labour leader of Plymouth City Council and the Conservative leader of the opposition are united in our belief that Devonport is the best place for the new ships. I have called for cross-party working on the issue since I started the campaign last year. Ministers have told me that that is the approach they want to see from Plymouth in the campaign, and I recognise that a strong and united campaign by Plymouth is vital to persuade the Ministry of Defence to decide in Devonport’s favour. We achieve more when we work together and less when we are divided. By the end of this debate I hope that Ministers will have heard from the united voice of Plymouth and the surrounding areas that Devonport is the ideal location for the Type 26 frigates.

From 2026 onwards, I want to see HMS Glasgow and her sister ships in Devonport, together with our world-class amphibious ships. In setting out the case for Devonport, I have also set out the cross-party and cross-Plymouth support that the campaign enjoys. Basing the new frigates in Devonport is the right strategic choice, the right defence choice, the best option for forces’ families, and the right choice for Plymouth, Devonport and our nation. I realise that the Minister has to make many tough decisions in his role—hard decisions, life-and-death decisions—but this is not one of them. This should be a simple decision—an easy choice for him. Devonport is the best location for the Type 26s. I encourage the Minister to make that decision in our favour at the earliest opportunity.

11.17 am

**The Parliamentary Under-Secretary of State for Defence (Guto Bebb):** It is a pleasure to serve under your chairmanship, Sir Roger.

I congratulate the hon. Member for Plymouth, Sutton and Devonport (Luke Pollard) on his speech, much of which I agree with and subscribe to. I also congratulate the other Members for the city of Plymouth on being present to support the debate. It is right to describe the Plymouth campaign as city-wide, and the campaign is appreciated. It was certainly difficult not to come away from my visit to Plymouth with the strong impression of the support afforded over centuries to the Royal Navy by the people of the city of Plymouth. I appreciate the passion displayed by all hon. Members, the three representing the city in particular, and the Ministry of Defence and I understand the feeling behind the speech.

The decision on the base-porting of the Type 26 is an important one that will have to be taken sooner rather than later. When we take that decision, we shall take into account a number of factors that have to be considered seriously and carefully, as the hon. Member for Plymouth, Sutton and Devonport will understand. We shall be looking at issues of logistics, infrastructure and personnel. On personnel, I echo the tribute he paid to the Royal Navy crews who man the frigates already based in Plymouth and to their support staff, whether military or civilian.

**Johnny Mercer:** On the timing, does the Ministry of Defence grasp the issue about us needing a commitment not even sooner rather than later, but before the summer recess? We need a decision point that we can look at, and take back to people and say, “Yes, we will get a decision on it,” so that we will have delivered something from the campaign.

**Guto Bebb:** My hon. Friend tempts me to offer an answer now, but I am sure he understands that it would be remiss of me to make such a commitment now, especially as we are still awaiting the completion of the Modernising Defence Programme. However, I stress again that we are looking at the issues seriously, including training, force generation and cost. We will certainly make an announcement before the end of the year. I anticipate that we might be able to make announcements before then, although I would not want my hon. Friend to come away thinking that the intention is to have an early decision. We are trying to ensure that we make a decision based on the facts of the situation, and I assure my hon. Friend that the support that Plymouth is showing for the campaign is being taken on board. Plymouth’s capability and the capacity as a naval base is also understood by the Ministry of Defence. I hope that gives some reassurance, if not the exact dates that he was looking for.

**Wayne David** (Caerphilly) (Lab): Has the Minister given any consideration at all, on a slightly longer time scale, to where the new Type 31s may be based?

**Guto Bebb:** Ultimately, we are looking very carefully at the rebasing; the fact of the matter is that we are building an enhanced Royal Navy. We will have more surface ships in the Royal Navy than we have had for a long time. We have seen the Royal Navy grow for the first time in a long time. All these decisions are under review. That is why it is important to understand that the decision on the Type 26 is not being taken in isolation. We are making decisions in the context of a growing Royal Navy. I suspect that every Member who has spoken in this debate would welcome the fact that the Royal Navy is growing. The reason for that growth is the new challenges that we face and the demand that we respond to them, and some of those were articulated by the hon. Member for Plymouth, Sutton and Devonport.

We are aware of the long-standing support offered to the Royal Navy by Plymouth and the Devonport base since 1691. There is a 300-year history. It is very difficult to visit Plymouth without being moved by the contribution that the city has made to the prosperity and the protection of this country over 300 years. Clearly, the size of the estate is unique. It is the largest base of its kind in Europe, stretching over 940 acres, and has more than 100 listed buildings and 3.5 miles of waterfront. This is
[Guto Bebb]
a base that has been providing support for our Royal 
Navy for a very long time. That history is clear from 
visiting the city of Plymouth.

The Government’s commitment is clear: to enhance 
the Royal Navy—the surface fleet and the submarine 
fleet. It is important to understand the context of this 
debate, which is the growth in the Royal Navy. We are 
committed to building our eight anti-submarine warfare 
Type 26 frigates. The hon. Gentleman’s support for our 
export campaigns in Australia and Canada is appreciated.

We have run a fantastic campaign in Australia and we 
are running a fantastic campaign in Canada. The capability 
of the platforms that we are building, with the support 
of our fantastic shipbuilders on the Clyde, is something 
that we take very seriously. It is great to see this unified 
approach to highlighting the capability of the Type 26.

The contract to build the Type 26 was awarded in 
June 2017. We have already cut steel and are building 
the first blocks on HMS Glasgow, which is very good 
news. Some people have claimed that it is nothing more 
than a paper ship; any hon. Members who have been to 
the Clyde will be able to say quite categorically that that 
is not the case. The work is being undertaken and the 
quality of the work is excellent.

The hon. Member for Plymouth, Sutton and Devonport 
highlighted the long-term commitment to shipbuilding 
on the Clyde that that order represents in his comments 
about the apprenticeships opportunities. The last of the 
apprentices who will be involved in the Type 26 programme 
have not yet been born. The Type 26 programme shows 
our commitment to long-term shipbuilding. I made no 
apology about the fact that we are also looking at the 
Type 31e. It is a case of identifying our capability need 
and what the Navy needs. The Type 31e is welcome 
from a procurement point of view. It is a general-purpose 
frigate being built to a cost limit, but it is also a new way 
of doing procurement.

When I travel around the world in my role—when the 
parliamentary arithmetic allows such travel to occur—I 
find it fascinating to see how closely defence departments 
in other countries are watching our Type 31 procurement. 
The capability and the cost of the Type 26 are recognised 
and have been recognised in the debate. Not many 
countries have the capability or the financial power to 
purchase such a high level of capability as the Type 26, 
but they are interested in what we are trying to achieve 
with the Type 31. The combined effort is showing a 
degree of confidence in our shipbuilding strategy, but it 
is also showing a confidence in our Royal Navy.

It is important to highlight that the Type 23 frigates 
have been and remain a significant part of the activities 
in Devonport. The decision to base the eight anti-submarine 
Type 23s in Devonport was correct. That decision has 
resulted in more coherence in our basing. I share the 
hon. Gentleman’s admiration for the crews of the Type 23; 
I have also flown on to Aegyl and have enjoyed Thursday 
war games with the crew. The professionalism and the 
commitment of the crew was something to behold.

I take exception to the comments that the hon. Member 
for Plymouth, Sutton and Devonport made about defence 
cuts. We have to acknowledge this issue on a cross-party 
basis, and it needs to be very carefully articulated, 
because it contributes to a false impression of what is 
happening in defence. The Government are committed 
to increasing defence spending. We have a protected 
budget of £37 billion. That budget is increasing by half 
a per cent above inflation year in year out for the 
lifetime of this Parliament. That commitment needs to 
be understood.

We talk about cuts, but it is important to put that in 
context. We are increasing defence spending. The challenge 
is to manage that increased spending. When we casually 
use the word “cuts”, we are sending a message—often a 
false message—that is a reassurance to our opponents 
and that causes distress and concern for some of the 
people working in our armed forces. I understand the 
context in which the comment was made, but I want to 
put it on record that we are expanding and extending 
our defence capabilities and are spending more on 
defence. My own equipment budget is £180 billion over 
the next 10 years, which by any stretch of the imagination 
is a significant budget. That includes a £63 billion 
commitment to enhancing the Royal Navy. I am sure 
that most Members will acknowledge that that is a 
significant commitment.

Johnny Mercer: I welcome the Minister’s comments. 
Clearly, we have to conduct the debate from a position 
of truth. We have a growing defence budget, but in 
Plymouth we have seen things like the defence rebasing 
strategy that have put people’s livelihoods and jobs in 
that city under threat. It has kind of paused; it is not 
going anywhere. We need the commitment. Will the 
Minister take back to the Department that we need 
something firm to deliver for the people of Plymouth in 
the very near future?

Guto Bebb: At the risk of repeating myself, I think 
the message has been heard loud and clear from the 
three Members from Plymouth and from other Members. 
The Ministry of Defence has heard that message. We 
have to put things in order, because we have to do things 
in the context of the Modernising Defence Programme, 
but I assure my hon. Friend and other colleagues that 
the message about the importance of this decision for 
Devonport has been understood.

Wayne David: Will the Minister give way?

Guto Bebb: For the final time, I will.

Wayne David: I thank the Minister for his generosity. 
He talks about cuts, but I would argue that the position 
is not quite as he painted. Can I infer from what he has 
said that HMS Albion and HMS Bulwark are now safe?

Guto Bebb: The hon. Gentleman should be aware 
that HMS Albion and HMS Bulwark are safe until 2033 
and 2034, which is the current situation. Those are the 
decommissioning dates for both vessels.

The situation in Plymouth and Devonport is still a 
significant success story. I acknowledge that there are 
challenges, but the activities taking place there—the 
flag officer sea training, Royal Marines Tamar and the 
commitment for the new oil jetty that has been built at 
Thamkes—are commitments and expenditure that highlight 
the fact that there is a very positive future for the base 
at Devonport. That positive future is not because we owe 
anything other than the right decision for the people of 
Plymouth, but that right decision will reflect the history 
of service and support that has been offered to the 
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of Plymouth and the people involved in the bases in
Plymouth. We should be very proud of the fact that it is a key component of our defence infrastructure. The continued added investment made by the Ministry of Defence highlights the fact that there is a bright future for the base in Devonport.

I will close by thanking all hon. Members who have contributed to what has been a constructive debate. It is important to put everything into the context of a growing Royal Navy, for the first time in decades—we all welcome that. The context is an enhanced and increasing defence budget, but one that is still challenged, for the reasons that the hon. Member for Plymouth, Sutton and Devonport highlighted, such as the changing threat environment.

I stress to all hon. Members, especially the three hon. Members representing the city of Plymouth, that we have heard the message very clearly. That message will be conveyed back to the Department. I look forward to the result of the Modernising Defence Programme and, in due course, a decision being made on the basing of the Type 26 frigates, which are a world-class capability.

Question put and agreed to.

11.29 am

Sitting suspended.

Northern Rail Services: Greater Manchester

[Mr George Howarth in the Chair]

2.30 pm

Sir David Crausby (Bolton North East) (Lab): I beg to move,

That this House has considered Northern rail services in Greater Manchester.

It is always a privilege to serve under your chairmanship, Mr Howarth. When I was elected 21 years ago, in 1997, our railways were still, in effect, publicly owned. The reality then was that the service was rubbish, and it had been rubbish for a very long time. John Major, the then Prime Minister, having starved the railways of investment, privatised them in indecent haste—I think he thought that would be his legacy; perhaps it is—just before he was forcefully expelled from office in the 1997 Labour landslide.

The ensuing Labour Government decided that there were more important priorities, particularly in health and education, than the renationalisation of the rail system. The truth is that we wrongly assumed, as far as public transport was concerned, that things could only get better. In fairness, there has been significant investment in the system in the intervening years, paid for by rail travellers through increased fares and passenger numbers. I am certainly not in favour of returning to the failed services delivered by British Rail in the 1990s, and I do not believe that anyone else is, but the fact is that the present system is broken and was unfit for purpose from the outset. That is clearly demonstrated today and every day in Greater Manchester and the north by the delivery of services by Northern rail.

Northern is the trading name of Arriva Rail North, whose franchise began in April 2016. Provided that it does not walk away, we may suffer it until 2025. Arriva Rail North has been a disaster from day one. It has been in freefall ever since, and it does not deserve to be entrusted with the franchise for another day. The Northern franchise, which is one of the largest in the UK, provides more than 16,000 train services to a population of 15 million people. In Greater Manchester, Northern trains call at 97 stations, which are used every day by a huge number of people, who depend on the service to go to work and education, as well as to enjoy their social and family lives. According to Office of Rail and Road estimates of station usage, there were nearly 81 million passenger entries and exits at Greater Manchester stations in 2016-17.

The quality of those services is essential to the lives of thousands of families and has an enormous effect on the economy of the north. It is a very big deal. We must not allow the political argument about our transport deficiencies to descend into the Government automatically supporting all private transport providers and the Opposition automatically attacking them all. Regardless of our views about nationalisation and privatisation, Northern rail is failing.

When Northern was first awarded the franchise, it promised more than 2,000 additional trains each week, with more frequent, earlier and later trains offering passengers greater choice. It promised a 37% increase in
peak-time capacity. It promised 281 new carriages, plus the full refurbishment of the remaining fleet and the removal of all Pacer trains within three years. Yet according to the Office of Rail and Road, the punctuality of Northern’s services in Greater Manchester and Liverpool has plummeted from 90% to 83% since the start of 2017. It must be compelled to do much better, and fair compensation is central to improving its performance.

If we are to remain with a privatised service, franchisees must be answerable to passengers. As the situation stands, they are not. As we would expect from an operation focused on profit, Northern does little to encourage passengers to claim compensation. The Consumers Association, which publishes Which? magazine, has called for improvements in the delivery of compensation. Its research found that only a third of passengers who may have been entitled to compensation made a claim. The two main reasons why people fail to claim are that it is too complex and there is a lack of information about the claims process. The Consumers Association found that unsurprising, as the way train companies award compensation varies widely across the country. It reports that train companies can take up to 20 days to respond to claims, with one in four people needing to prompt the train company about their claim.

Northern’s compensation scheme excludes people with multi-modal tickets, despite Ministers stating that it must include them, and passengers are left waiting for as much as four months for a response to their refund applications. Over the past two months, things have gone from extremely bad to even worse. All that adds up to Northern’s record before the unbelievable timetable transfer.

When things go wrong at Northern—and things are certainly going wrong—the whole of Greater Manchester is in danger of grinding to a halt, because the road alternatives are often close to gridlock. The major problem at the moment is that Northern simply does not employ enough drivers to allow for flexibility. Its model is dependent on drivers working on their rest day. To make matters worse, the company clearly has industrial relations problems, and there has been no rest day working agreement since February. It blames industrial action for its poor performance, but when the Government privatised the system in 1997, they privatised its industrial relations, too. It is just not acceptable to blame the trade unions and no one else. The company must be accountable for disputes with its employees. It must manage its industrial relations. That is its job, not anyone else’s. The sad reality is that most of Northern’s employees despise their employer about as much as most of its passengers do.

In fairness—this is the only time I will say that—Northern’s operational problems have certainly been made much worse by delays to the electrification of the Blackpool to Preston line by Network Rail. Drivers have to undergo safety training before trains can operate on new lines, but Northern’s lack of planning meant that, from 16 April, drivers were pulled away from scheduled services across the network to undergo training. Services were cancelled every day, leaving passengers stranded at stations on their way to work. Northern knew well in advance that that combination of problems would leave it short of drivers to operate the timetable. Those problems should in no way have taken it by surprise, yet they have gone on for weeks and weeks. Sources tell me that on 15 May—a full month after the issues with driver training began and before the timetable fiasco—91 trains were fully cancelled, 140 were partly cancelled and 48 had a reduced number of carriages. Every day is the same, yet Northern buries its head in the sand and acts surprised by its driver shortage.

I have repeatedly asked why no strategy was in place and why there was no set schedule for cancellations so that passengers would know what to expect. Why were there no rail replacement bus services? Northern has provided no explanations for its failures. The restatement of its explanation that cancellations are due to driver shortages is simply not good enough; neither is the promise that things will improve by 2020. Northern, I am sad to say, reminds me very much of the Secretary of State, repeating the mantra, “It’s not our fault. Things will get better.” Ordinary, hard-working people’s jobs are at risk, and family livelihoods depend on the ability to get to work on time, yet Northern, along with the Secretary of State, has taken no action and just looked the other way. If my constituents were to apologise to their employers for being late for work every day, while assuring their bosses that their timekeeping would improve by 2020, they would be out of a job long before 2020—and Northern should be, too.

Unbelievably, when the new timetable began on 21 May, things got very much worse. There was clearly a major change. Northern admitted that 90% of the new schedule was different from the old one, and services along what is already an overcrowded corridor were greatly reduced. Commuters in my constituency, with their long-term experience of this operator, were braced for a difficult experience that day, but they still expected trains to arrive. What they got was chaos. Right across Greater Manchester, passengers were left stranded on platforms with no trains and no information.

I am told that, on the first Monday of the new timetable, there were 196 cancelled services and 131 partly cancelled services across the Northern network. Forty-two of those cancelled services were due to stop in Bolton. Just over a week later, on 29 May, the number of cancellations had risen to 254, and as of 7.30 this morning there had been 50 cancellations, with 43 trains partly cancelled. Is it any wonder that my constituents are striving to pass their driving tests, buy cars and block up even more of our overcrowded roads? These are people who just want to go out and do a hard day’s work, and it is our responsibility and the Government’s responsibility to help them and encourage more travellers to get on the train.

The week before the new timetable was introduced, passengers were being told by train guards that the drivers’ new work schedule would not be completed in time. Passengers expected chaos, and train guards expected chaos. Only the Secretary of State and his so-called experts were in the dark. Drivers were expected to turn up for work on 21 May as though nothing had changed, even though 90% of services changed in the new timetable. When Northern said that services were cancelled because of staffing issues, they should have said they were cancelled because of management issues and its own incompetence. If it was as good at running trains as it is at making excuses, we would have nothing to complain about, Mr Howarth, and we would not be bothering
you with this debate. The fact is, they failed to plan properly for the biggest timetable change in years. These are problems of Northern’s own making, and far too often it leaves Greater Manchester without the basic train service it is entitled to.

Passengers do not really want to know about new ticket machines and wi-fi on the train; they just want to go to the station and catch a train that is on time and that has a seat for them to sit down on. One of my constituents texted me to say she was stood in the toilet of a packed train with three other people she did not know. Let me tell the Minister that wi-fi cannot be used in those circumstances. He will understand my constituent’s concern.

I frequently say that we have an excellent train line in Bolton, which runs right through my constituency. There is potentially a great service—all we need is some trains with enough carriages. It is not rocket science, is it? When a peak-hour train with two carriages—instead of the promised four—arrives at Bromley Cross station in my constituency, an audible groan runs right down the platform, because people expect to have to fight to get on.

Yasmin Qureshi (Bolton South East) (Lab): That train then goes to Bolton station, in my constituency, and by that time there is no space for anyone to get on it.

Sir David Crausby: That is right, because nobody gets off in Bolton—they are going to Manchester. People are getting on the train all down the line, so the closer people are to Manchester, the smaller chance they have of getting on at all. Four-carriage trains are essential. That has nothing to do with the timetable issues. Promises on the delivery of extra carriages have been repeatedly broken by Secretaries of State and by the previous Prime Minister, who visited Bolton before the 2015 election and is now long gone down the line. We are fed up with the daily struggle to catch a train.

A seriously disabled passenger who wants to travel to Bolton and Manchester has suffered disproportionately from a terrible service over many years, and our experience is a result of problems that continue within the system. The division of responsibility between rail companies, Network Rail, rolling stock leasing companies and the Government has allowed them all to blame each other for failures, and passengers end up paying for them, sometimes with their lives. What is wrong with this privatisation model is that passengers cannot vote with their feet and use another provider—and too many train operators know it. If publicly owned monopolies are unsuitable, privately owned monopolies are very much worse.

The ultimate responsibility for this catalogue of failures must lie with the Secretary of State for Transport. If not, what is the point in having a Secretary of State for Transport? I very much doubt that he will sort out these problems, but if he does not do that in the short, medium and long term, there is certainly no point in this Secretary of State for Transport, and he should clear his desk, along with Northern rail.

2.49 pm

Mr William Wragg (Hazel Grove) (Con): It is a pleasure to follow the hon. Member for Bolton North East (Sir David Crausby), who I congratulate on securing the debate. It is also a pleasure to serve under your chairmanship, Mr Howarth. However, the residents of Stockport who I represent have been experiencing anything but pleasure from the introduction of Northern rail’s new and chaotic timetable, which came into force a couple of weeks ago.

There are many unacceptable elements to Northern rail’s timetable, but the most pressing for me is the glaring gap that has been created at peak morning rush hour, owing to the removal of the two most popular commuter services, the 7.50 am and the 8.01 am from Hazel Grove to Manchester Piccadilly, which also called at Woodsmoor and Davenport stations. That has meant that all three well-used commuter stations now have a 45-minute gap in trains to Manchester from just after half-past seven until around 8.20 am, and then no services again until 9 am.

That has left hundreds of commuters unable to get to Manchester on time for work, forced to arrive either much too early or too late. It has disrupted pupils’ ability to get to school, as well as having an effect on parents who have to co-ordinate dropping off their children in the morning, sometimes at multiple schools and nurseries. When passengers can get on a train, they are faced with huge overcrowding, with many unable to get seats, and some trains now have two cars rather than four. In one recent case, overcrowding led to a passenger needing medical attention after fainting in the cramped carriages. It is also forcing many commuters to abandon the rail network entirely and to travel by car instead, adding further to the already all-too-congested roads, including the A6.

It is not just the morning rush-hour services that are affected; Sunday evening services out of Manchester have also been cut or brought forward. For example, the last train back from Manchester to Romiley and other nearby stations is now at 9.45 pm, meaning that people who want to spend the evening in Manchester have to cut their time there short.

These timetable changes are having a damaging and hurtful impact on both the family and professional lives of my constituents. I have not even attempted to calculate the economic cost of the hours of lost productivity. Sadly, I hear consistently from residents about their impression that the rail industry as a whole does not care about passengers. There is extreme anger. The two words that have appeared most often in the dozens of letters and emails that I have had on this subject are “ridiculous” and “unacceptable”, and I must agree entirely with those descriptions. The sad fact is that this timetabling nightmare is overshadowing what should be welcome news of upgrades to infrastructure, more trains overall and new or refurbished rolling stock.

During my Adjournment debate on the last day before recess, I highlighted in detail how the issue affected my own constituency. However, it has become
clear in the days that followed, as the stories shared by hon. Members across the House illustrate, that this is not just a case of a few hiccups of implementation on a few lines or services, but a systemic and structural shortcoming of the whole Northern rail timetable.

Much of the blame for this bungle falls at the feet of Network Rail. Its catalogue of delays relating to the electrification project from Manchester to Preston via Bolton, which the hon. Member for Bolton North East alluded to in his speech and which is now apparently two years overdue, has meant that train operators faced uncertainty over the state of the available infrastructure. That had a knock-on effect on their ability to plan an effective timetable. Also, they are unable to use the electric engines on that line and so are reliant on old diesel engines to make up for the shortage of rolling stock. That in turn caused Northern rail to put its timetable bids in late, by which time many of its required platform slots had been taken up by other operators. It has been a perfect storm of delayed rail upgrades leading to delayed timetable planning, leading to delayed or even missing trains.

While I have had some positive dealings with regional representatives of Network Rail, this whole debacle is a symptom of Network Rail’s aloofness, unaccountability and, at times, sheer arrogance in failing to communicate with either train operators or passengers, let alone Members of Parliament. When its chief executive Mark Carne, who does not readily reply to my letters, leaves later this year, I am sure he will not be missed by passengers—and certainly not by me.

However, while it may be justifiable to heap a large portion of the blame for the delays and their consequences on Network Rail, relevant questions must be asked of others, including the Government, given their ultimate control of Network Rail. What were the reasons for the further delay to the Bolton electrification project, which has caused this mess-up of the timetabling process? What assurance can be given that the work will not be subject to further delay? When the delays on the Bolton line upgrades came to light, why did Northern rail say it would still be able to manage, and why did it not flag up the depth of the problems that that would cause? Did the Department for Transport not know that the infrastructure delays would scupper the timetable? Why did rail experts advise Transport Ministers that it would all be fine? What searching questions did Ministers ask to verify what they were being told?

What passengers really want to know is what is being done to get us out of this mess. On Monday, my right hon. Friend the Secretary of State told me in the Chamber that he would bang heads together to sort out the 45-minute gap in morning peak-time services that is affecting my constituents so badly. Yesterday evening I met with him again to reiterate those concerns. Furthermore, this morning I met with both Network Rail and Northern rail, who gave assurances that the Bolton electrification project would definitely be completed this year and that that would enable Northern to plug the unacceptable gaps in the current timetable. I will have to hold somebody to account for that statement.

Questions still remain for passengers faced with a whole summer of disruption. Will Transport for the North, the regional transport body, conduct a formal assessment as to whether Northern rail is in breach of its performance targets as set out in its franchise agreements? If it is, what action will be taken? Transport for the North is currently co-running the rail franchise in the north, but is not using the full extent of its powers. Will the Department for Transport ensure that it uses those powers? Finally, do passengers really have to wait for the six-month timetable review, or will the Minister do all he can to get things moving more speedily? I look forward to hearing from my hon. Friend the Minister. He is in an unenviable position, but I am sure he will appreciate the anger of my constituents and those of hon. Members across the House, and do his very best by them.

2.56 pm

Kate Green (Stretford and Urmston) (Lab): It is a pleasure to serve under your chairmanship, Mr Howarth, and I congratulate my hon. Friend the Member for Bolton North East (Sir David Crausby) on securing a debate that is important to all our constituents in Greater Manchester.

As I said in the Chamber on Monday when the Secretary of State made a statement to the House, the problems my constituents are experiencing are not new. They have endured months of misery, beginning well before the botched introduction of last month’s new timetable and well before the delays in completing the infrastructure improvements. In fact, my constituents have been used for far too many years to an unreliable, infrequent service on clapped-out old Pacer trains, which are still running on the line despite promises of replacements to come, and they are frankly fed up with what they have had to put up with.

Although performance has not been good for a very long time on the line through my constituency between Liverpool Lime Street and Manchester Oxford Road, the performance in recent months has been particularly abysmal. Day after day, constituents have been in touch with me about delayed, cancelled or overcrowded trains; trains that have only two carriages when they should have four; trains not stopping at all at scheduled stations; stops because they are too full for anyone else to get on, meaning that people who need to alight at those stations cannot do so and are taken well out of their way; huge gaps between services as not one, not two, but sometimes three consecutive rush-hour trains are cancelled, meaning people cannot get home from work to see their families in the evening; and a dearth of information for passengers, with information switching at the last minute from, “The train’s 15 minutes delayed,” or, “The train’s two minutes early,” to, “The train’s on time,” or, “The train’s 15 minutes delayed,” or, “It’s not coming at all.”

It is absolutely impossible for passengers in those circumstances to have any confidence in the service they need to rely on. No wonder that they are thoroughly fed up and furious. No wonder, as other hon. Members have said this afternoon, that they have started to drive to work or to other engagements, although many would prefer to take the train, because they know they cannot trust the service. As my hon. Friend alluded to, it is also no wonder that staff morale is so poor when drivers, conductors and other staff find themselves delivering a service that they know is substandard and for which they take the brunt of passenger anger. I have no doubt that that is contributing to the already difficult employment
situation that my hon. Friend mentioned, with Northern itself acknowledging to me that absence rates are on the rise.

Passengers in my constituency do not really care whether it is Network Rail, Northern rail, Rail North or other train operators that are actually responsible for this mess and they do not really care about this passing the parcel of blame. They want someone to take responsibility for the whole system’s functioning, in order to fix the service and to make it reliable now. That is why I will put three particular questions to the Minister this afternoon.

First of all, we need a reliable, credible, up-to-date information system for passengers that tells them what is going to happen, and for that to then happen. My constituents have been relying on the now notorious hashtag on Twitter, #NorthernFail, to tell them what is going on; indeed, that has been my best source of information about what is happening to my constituents too. If #NorthernFail can give us up-to-date, real-time information about what is going on with the rail service, why on earth can Northern rail not?

It should not be too hard to give passengers reliable and accurate information that allows them to have faith that a service will run, rather than the situation they are in now, in which they do not know if a train will run or not. If that does not change, many of them will vote with their feet and simply not use the service at all. Will the Minister say what is being done to improve the quality and reliability of information to passengers, so that we can win back passenger confidence in the service and ensure that they can use it confidently in future?

Secondly, my hon. Friend talked about the compensation scheme that is in place, which I would also like the Minister to address. I was very pleased to hear the Secretary of State for Transport say in the Chamber on Monday that the compensation offered will be equivalent to that provided to Southern Rail users, who have suffered similar levels of disruption in recent years. It is absolutely clear that the current system is simply not adequate to compensate passengers for the level of inconvenience that they have suffered. The delay repay system does not address the persistent pattern of delay, cancellation, uncertainty and inconvenience.

That limited system has been exacerbated by passengers being frankly insulted by long delays in getting their compensation, by being refused for petty reasons and by being offered quite derisory amounts. Passengers have told me of compensation of £1 or £1.12, which is by being offered quite derisory amounts. Passengers in my constituency do not really care why on earth can Northern rail not?

The fragmented system is clearly not delivering for passengers, because Network Rail, Northern, the different train operators and numerous oversight and governance bodies all seem to stir the pot but do not actually take responsibility for putting things right.

Will the Minister describe exactly who is responsible at every level in this chain of command, from the operating companies to the infrastructure companies, to the oversight companies, and to the Department for Transport and Ministers themselves? I am not clear to whom the different demands and challenges should be directed, and I am tired, as are my constituents, of seeing blame passed all the way around.

I look forward to hearing the Minister’s answers to these questions, but my constituents look forward most to assurances that a service that they have endured for too long will now finally see real improvements.

3.4 pm

Debbie Abrahams (Oldham East and Saddleworth) (Lab): It is a pleasure, as always, to see you in the Chair, Mr Howarth. I congratulate my hon. Friend the Member for Bolton North East (Sir David Crasbury) on his comprehensive and historical analysis of the failings of the transport network, and particularly of Northern rail in its delivery of services to so many of our constituents.

I will focus specifically on the recent timetable changes and how they came about, and what I think the Government should have done to address these problems before they actually happened. I also have some specific questions about compensation and contingency arrangements. I was promised by the Secretary of State that things would improve by today, but I am afraid that the information I have so far is that there has been no improvement at all.

As colleagues have mentioned, there have been many issues with the new timetable, including a shortage of properly trained and available drivers who are qualified to run the new services, as described in last year’s Gibb report, and, as my hon. Friend mentioned, the overrunning of engineering works—specifically, the electrification of the Manchester-Bolton-Preston line. Those issues meant that the proposed new timetable had to be overwritten, delaying its launch and the driver training for the new routes. Network Rail’s planners were unable to confirm routes and times until a matter of weeks before the revamp, rather than the normal three to six months for a routine change. Will the Minister explain why the timetable changes were not deferred once these multiple problems became clear?

We have heard words of remorse from the Transport Secretary, Network Rail and others, but in addition to many constituents asking me to raise the matter with the Transport Secretary last November, many rail experts also raised these issues. They have been proven right. Why were they not listened to? How could this have gone so horribly wrong, and why was there no delay in implementing the new timetable?

The Transport Secretary said in the Chamber on Monday that “both Northern and GTR were not sufficiently prepared to manage a timetable change of this scale... Neither Northern nor GTR had a clear fail-back plan.”—[Official Report, 4 June 2018; Vol. 642, c. 50.]
If that was the case, why were Ministers and officials within the Department not aware of it beforehand? Surely, given the sheer scale of the changes being introduced, they should have been closely monitoring this.

In Oldham East and Saddleworth there has been deep concern from passengers at Greenfield station for many months about the proposed new timetable, with a reduced service and capacity at peak hours, destinations changing from Manchester Victoria to Manchester Piccadilly and poor connection times via Stalybridge, as well as ongoing accessibility issues at Greenfield. I wrote to the Secretary of State about these issues last November, and in response the then Transport Minister, the hon. Member for Blackpool North and Cleveleys (Paul Maynard), said the new timetable would deliver “significant reliability benefits”. The evidence has shown that response to be completely wrong. Given that “significant reliability benefits” have not been delivered, will the Minister ensure that future timetable planning now underway for the December changes will actively involve rail users and not ignore their concerns?

The impact of the timetable changes on people’s lives cannot be underestimated, particularly on those with caring responsibilities. Parents who were previously able to drop their children off at school before getting their morning train into Manchester now struggle to do so if they are to get into Manchester for 9 am. The changes to the timetable mean that there is a 44-minute gap between 7.45 am and 8.30 am, which is the time that they are able to do so after dropping their children off. Their return journeys are equally fraught, with not just too few trains between 5 pm and 6 pm, but the timings of these trains being at 5.17 pm and 6 pm.

We realised that the new timetable was going to play havoc with the lives of working people using Greenfield station in particular, but the chaos since 20 May has been far worse than we feared. Both Northern and TransPennine Express trains have frequently been cancelled and have too often been late as well. The TPE delays significantly impact on constituents interchanging at Stalybridge and have too often been late as well. The TPE delays add to their stress.

My constituent’s children were under intolerable stress on their way to exams and experienced delays, which adds to their stress.

Kate Green: I am grateful to my hon. Friend for drawing attention to the situation faced by constituents trying to travel to exams. I know of exactly the same situation. Even more shockingly, when a taxi had to be used and the cost was claimed back from Northern rail, it said that such expense would not be covered by the compensation system.

Debbie Abrahams: Clearly that is absolutely unacceptable. I hope the Minister will reassure us that that will not be the case and that he will take that up with Northern.

We need timescales, eligibility requirements, details of how passengers can claim, and confirmation that entitlements will be similar to those conferred by last year’s Southern passenger compensation scheme, as mentioned by the Transport Secretary on Monday. Will the Minister confirm that compensation for poor service will be measured against the original timetable proposed, not the slimmed-down one now on offer? Will Northern tickets be able to be used on other operators and modes of transport, as called for by my colleague, the Greater Manchester Mayor, Andy Burnham?

Northern’s action to set a unilateral timetable should not go unchallenged. I repeat my earlier point: passengers must be engaged with and consulted on the timetable. What discussions has the Minister had with Northern on customer consultation on the timetable? The Transport Secretary assured me and my hon. Friends the Members for Stalybridge and Hyde (Jonathan Reynolds) and for Colne Valley (Thelma Walker) on Monday evening that the emergency timetable will deliver significant improvements by today. I have mentioned what we have found out so far, but I will hold the Secretary of State to that.

What contingency arrangements are in place to remove the franchise from Northern if services do not rapidly improve for passengers across Greater Manchester? I would expect the contingency arrangements to be in place already. Finally, will the Department look to give Transport for the North the necessary policy and financial powers to ensure oversight of all suburban and regional services and work in tandem with Network Rail?

It is clear from this fiasco that our railways cannot be cared for properly from London, and the failure to fairly fund transport in the north exacerbates the problems we face, with deferred electrification and poor-quality, ageing rolling stock. The Minister will be aware that local and regional newspapers yesterday joined together under the banner #onenorth to fight for the north and called on the Government to prove their commitment to our region. I hope that his response will show that commitment.

3.13 pm

Yasmin Qureshi (Bolton South East) (Lab): It is a pleasure to serve under your chairmanship, Mr Howarth. I congratulate my hon. Friend the Member for Bolton North East (Sir David Crausby) on securing this timely debate, coming as it does with the fiasco of the timetable chaos. I will not repeat what my colleagues have said. Hon. Members have dealt with the issues and challenges and with the main problems with the transport system in the north, and they have also mentioned solutions.
I want to talk about the experience of people using transport in the north, and particularly my personal experience. I will declare an interest here: I am a regular traveller on the trains from Bolton to Manchester and then onwards. Most of the time, I never find a seat to sit on, and we are always crammed in like sardines. At peak times, many of us cannot get on the train at all because it is already fully crowded. I am not talking just about problems with people occupying seats or people standing; we are literally pressed against each other. As a result, some people cannot even get on the train, which means they miss that train. The next one is about 20 or 25 minutes later, which means people miss connecting trains. Students are delayed getting to universities, colleges and schools. Most of the people who work, especially in the early hours of the morning, often get to work late. I am not exaggerating when I say that I have had constituents write to me to say they have lost their jobs because they have been turning up late day in, day out. That is not an exaggeration—it is the complete truth.

On Monday I received an email from Mrs Dearden, who wrote:

“I’m writing to ask you to seek some responsibility and accountability from Northern Rail, and the Government, to sort out the sorry state of rail travel around Greater Manchester. I just wanted to add to your portfolio another tale of the family stress this is causing. My daughter-in-law, a solicitor, travels to work, in Preston, from Bolton every day. She also needs to take and collect her son to and from nursery. For the past few weeks the...unpredictable service that Northern Rail has been providing has meant that she has been faced with the ‘choice’ of getting to work later each day and leaving work earlier in order to collect her son from nursery. As you can understand, this doesn’t amount to a normal working week from her employer’s point of view, nor to her colleagues. It leaves her child, and his nursery, with uncertainty.”

She is not alone, and her case is not exceptional. Many thousands of people in similar situations are suffering extreme disruption to their family life and are being put under stress from a service that they, as customers, pay for. It is not a free service, but something they pay for.

The situation is not new. It has been going on for years. In February 2014 I met senior managers from Northern Rail, Transport for Greater Manchester and First TransPennine Express to discuss the problems with our rail services, and on 5 March 2014 I went to see the then Transport Minister, the hon. Member for Preston, from Bolton every day. She also needs to take and collect her son to and from nursery. For the past few weeks the...unpredictable service that Northern Rail has been providing has meant that she has been faced with the ‘choice’ of getting to work later each day and leaving work earlier in order to collect her son from nursery. As you can understand, this doesn’t amount to a normal working week from her employer’s point of view, nor to her colleagues. It leaves her child, and his nursery, with uncertainty.”

I was struck by the experiences of my hon. Friend the Member for Liverpool, Wavertree (Luciana Berger), who talked on Monday—column 63 in Hansard—about people who were fasting during Ramadan standing for five hours in blistering heat. Trains have been cancelled and delayed; they do not stop. People have been failed—“Northern fail” is the expression that comes to mind. The situation is not just in the north, but across the country. I know that passengers in the south-east in particular have also had years of that pain. We have a broken railway system.

I thank my hon. Friend the Member for Bolton North East (Sir David Crausby), who eloquently highlighted the pain of his constituents, particularly the pain caused by Arriva Rail North. Electric trains in his area should have been running from Manchester via Bolton to Preston last year, but it will be lucky if they do so by the end of this year. Northern provides a poor service to passengers and they now have their worst punctuality rating in eight years. As we heard, only 83% of their trains arrived within 10 minutes of the scheduled time. Of course, in the past week things have got worse, with trains often being cancelled altogether at weekends.

The story for passengers in Bolton is one of broken promises, within a completely deficient system, and they are of course dependent on a completely deficient compensation scheme. As we have heard, it is far too complex for passengers to engage with, and it does not work for multimodal transportation, so fewer people claim on it. We have heard that disabled people and
parents with prams have no chance of using the railway. At certain points on the line the trains are already packed, as there are too few carriages to meet the need. In the new upgraded rail system there is still a need to install the overhead gantries for the power lines at places such as Chorley, Bolton and Salford. However, because of poor ground conditions due to uncharted shallow mines around those locations, a third of the foundations were unsuccessful at the first attempt. All that work was outsourced to the failed company Carillion.

I thank all hon. Members who have contributed to the debate—the hon. Member for Hazel Grove (Mr Wragg), who put some pertinent questions to the Minister, and my hon. Friends the Members for Stretford and Urmston (Kate Green), for Bolton South-east, and for Oldham East and Saddleworth (Debbie Abrahams)—for sharing the impact of the rail meltdown on their constituents. The upset, anger and frustration that have been heard in the House this week are nothing compared with the actual pain that we have heard about directly from the public. Despite all that, the Secretary of State could not find within himself to apologise for the part that he played. The only reason he remains in his post this afternoon is that the Prime Minister is too weak to sack him. All that we got was his belief that he was clever in apportioning blame to everyone but himself. Others are to blame—I grant him that; but the person in charge, at the heart of it all, is the Secretary of State. Perhaps the Minister will offer an apology on his behalf for the fact that he has utterly failed the British public.

So what do we know? Network Rail ran into serious trouble during control period 5, not completing many of the planned infrastructure projects, including promised electrification upgrades. Did the Secretary of State know? Yes; he personally intervened, cancelling many electrification projects. Hon. Members will remember that that was the day after the House rose last summer—presumably to avoid questioning of the kind that happened on Monday. The right hon. Gentleman announced that trains that do not even exist would run in the future, and said they would replace the planned new electric rolling stock as on the TransPennine Express route.

It is deeply offensive that new trains that cannot accommodate wheelchair users have been put on that line. We heard how Network Rail failed to complete its timetabling programme and how the Secretary of State, despite initial denial, knew that that was coming over the horizon. He said on Monday that he took calls despite initial denial, knew that that was coming over the horizon, and it failed. It is also trying to get rid of over the horizon, and it failed. It is trying to get rid of train guards, the very people at the heart of looking after the needs of passengers. We have ended up with not enough trains or staff to meet the needs of a rushed and untested timetable, although I must say that the staff have been phenomenal across the rail network, and we salute them for all that they have had to contend with over the past few weeks.

Only the Secretary of State and his Ministers sit at the top table and the interface of track, timetable and train. He knew about these challenges but did nothing. He let this chaos happen, either through sheer incompetence or by hoping that it would be the least worst option. He is the head of every decision, which is why either he must resign or the Prime Minister should sack him.

One subject that was not mentioned on Monday was how much all this will cost the public or passengers through future ticket increases. The money has to come from somewhere. I am sure the TOCs will call for compensation—they always do—and we also have the compensation scheme, and a commitment to a new compensation regime, which fellow MPs are already saying will be insufficient and that more will be required. Will students who were not able to sit their crucial exams, or businesses that could not open their doors because their staff had not arrived, be able to claim compensation? How much will all this chaos cost? I put
that point specifically to the Minister, because ultimately taxpayers or passengers will pay, and they need to know how much it will cost.

This story will not end happily ever after. First we get a revised timetable that, as we have heard, has in many places been much worse than the original one. Then we get the mass cancellations across the service. We have heard that whatever timetable is applied, the chaos will run for months and months into the summer. What has the Secretary of State offered? An inquiry that will report at the end of the year. Thank goodness the Transport Committee, chaired by my hon. Friend the Member for Nottingham South (Lilian Greenwood), will provide answers long before then through its own inquiry. The Secretary of State's inquiry will not report until after the next set of timetable changes have been put in place in December, although I have heard that those changes have fallen behind schedule.

This chaos has forced passengers off trains and into their cars—a modal shift. We talk a lot about a modal shift across our railway system, but we aspire to it going the other way. When rail services do not work and fail the public, people jump back into their cars because they have no other option. That leads to more congestion on our roads, more frustration and more pollution to exacerbate our poor air quality. I am sure that the rail companies will challenge the Government about that fall in patronage.

The great British public have been completely let down by this Government and their failed rail model, and they are right to be furiously angry at the Secretary of State, who blames everybody else—the bosses at Northern rail, for example—while forgetting that he is in charge. That simply could not happen under Labour’s proposals for a new model of public ownership. We will scrap the juggling of multiple private company interests and have one rail service that works together in the interests of passengers. The Secretary of State could make a start by moving towards that model—that would massively satisfy passengers across the north—and he could take the contract away from Northern rail, and use his powers to start providing reparations for this complete disaster on our railways.

Mr George Howarth (in the Chair): Before I call the Minister, I gently remind him that it is customary to leave enough time for the mover of the motion to respond briefly to the debate.

3.35 pm

The Minister of State, Department for Transport (Joseph Johnson): It is a pleasure to serve under your chairmanship, Mr Howarth, and I congratulate the hon. Member for Hazel Grove (Mr Wragg) about who knew what, when, and about why there was not adequate intervention if that was indeed the case. I will need to backtrack on the sequence of events. After the decision was taken in the summer of 2017 to de-risk the potential delay of infrastructure from the major timetable change in December 2017, Northern planned to introduce changes in two phases, in December 2017 and in May 2018, with the May 2018 change, recasting services around Manchester, being most significant. The planned changes for May were underpinned by planned line speed improvements and electrification of the route between Manchester and Preston via Bolton. As hon. Members have noted,
that would enable Northern to operate electric rolling stock, freeing up diesel units to provide additional capacity on other parts of Northern’s route.

In line with normal industry deadlines, Northern submitted its proposed timetable for May 2018 to Network Rail in August 2017, and Network Rail agreed it in November 2017. Network Rail had expected to complete the work that would facilitate timetable change before May 2018, but faced significant complexities based on the interconnectivity of the network and the planning by all operators, and in January 2018 it acknowledged that it was unable to complete the work as expected. Those delays were further exacerbated by the disruption caused by Storm Emma and the severe cold spell—the beast from the east.

After it became apparent that the Manchester to Preston electrification was not going to be completed for May 2018, Northern took on the task of wholesale replanning of rolling stock, staff rostering and driver training to accommodate the lack of wiring on that route. As hon. Members will know, that is because drivers have to undergo essential safety-related route training before trains can operate on new lines. For Blackpool, that meant retraining 400-plus drivers from all the depots that operate that route.

Debbie Abrahams: Were not some of the delays, and the causes of the delays, predictable? Surely there should have been contingencies in the upgrading process and plans that would have accounted for that. If that was not the case, what is the Minister doing on, for example, penalties in relation to the franchise so that he is able to claw back from the providers?

Joseph Johnson: That is a good question, and one of the things that Stephen Glaister’s review will be looking at very carefully. It will look at all the processes that went into the creation of the May timetable and all the planning and preparation around it, to answer those kinds of questions and to see what lessons can be learned for future timetable changes, including the December timetable change. I will come on to compensation, if the hon. Lady hangs on for a second; I was talking about the training of drivers. Some drivers have been unavailable for their normal train-driving duties while they were and are undergoing that training. To make a difficult situation worse, Northern was unable to ask its drivers to work on their rest days for the last three months of this period, because, as hon. Members will know, ASLEF declined to extend the rest day working agreement that ended in February. That meant that Northern has not been able to absorb those exceptional or last-minute training needs and provide the additional flexibility for the train driver rosters that it needed to.

Let me turn to the questions about who knew what, when, and about where the DFT was in all this. In January, Network Rail informed the Department that it would not complete its upgrade of the Manchester to Preston route in time for the May timetable change. In response, Northern developed a new timetable in a compressed period and briefed stakeholders on the reasons why that was required. Following that, the late completion of the Blackpool to Preston blockade in mid-April meant that Northern had less time to complete those plans and its driver training. Northern then did not finalise its plan for the timetable until three days prior to its introduction. Industry readiness boards assured the Department and the Secretary of State that the timetable was ready for introduction, and the Department was not made aware of any expectations of high levels of cancellations.

Hon. Members have asked about compensation to reflect the significant inconvenience experienced by passengers. There is no doubt, and the Department accepts, that Northern passengers have faced totally unsatisfactory levels of service. I have met with many colleagues in the House, and I have also heard directly many stories from the travelling public of how the disruptions have impacted the lives of all those constituents.

It is entirely right for all those affected by the disruption to be properly compensated. I encourage passengers, in the first instance, to continue to use Northern’s Delay Repay compensation mechanism for affected journeys. Northern operates the Delay Repay compensation system for all its passengers. Under that scheme, as hon. Members will know, passengers are entitled to claim compensation for each delay of 30 minutes or more that they experience, whatever the cause of the delay. There are no exclusions for weather or other delays outside the control of the rail industry.

The Office of Rail and Road guidelines require train operators to respond to claims within 20 days of their receipt. Northern has assured the Department that it is working hard to respond to all claims within industry standards. I acknowledge the complaints that the hon. Member for Bolton North East has made about various aspects of the Delay Repay scheme. The Department is discussing with Northern ways in which we expect it to reduce its processing time for Delay Repay claims.

In his statement on Monday, the Secretary of State announced that, in addition to the standard Delay Repay compensation mechanisms, there would be a special compensation scheme for Northern passengers, subject to agreement by the board of Transport for the North. It is to be funded by the rail industry and will ensure that regular rail customers receive appropriate redress for the disruption that they have experienced. The industry will imminently set out more detail of the eligibility requirements and how season ticket holders can claim. However, the Secretary of State has already indicated, at a high level, that he expects that the scheme should offer Northern passengers who have experienced protracted disruption of this kind similar entitlements to those under Southern’s passenger compensation scheme last year. Rachael Maskell: Can the Minister set out exactly who he means by “the rail industry”? Clearly, we are talking about Network Rail, which is culpable for some of the issues, as well as the Department for Transport and the operators themselves.

Joseph Johnson: I want to allow us a few days to refine the details of how the compensation scheme will work. We are working carefully with all players in the industry to ensure that a fair scheme is put forward that adequately provides redress to passengers. The Secretary

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It is entirely right for all those affected by the disruption to be properly compensated. I encourage passengers, in the first instance, to continue to use Northern’s Delay Repay compensation mechanism for affected journeys. Northern operates the Delay Repay compensation system for all its passengers. Under that scheme, as hon. Members will know, passengers are entitled to claim compensation for each delay of 30 minutes or more that they experience, whatever the cause of the delay. There are no exclusions for weather or other delays outside the control of the rail industry.

The Office of Rail and Road guidelines require train operators to respond to claims within 20 days of their receipt. Northern has assured the Department that it is working hard to respond to all claims within industry standards. I acknowledge the complaints that the hon. Member for Bolton North East has made about various aspects of the Delay Repay scheme. The Department is discussing with Northern ways in which we expect it to reduce its processing time for Delay Repay claims.

In his statement on Monday, the Secretary of State announced that, in addition to the standard Delay Repay compensation mechanisms, there would be a special compensation scheme for Northern passengers, subject to agreement by the board of Transport for the North. It is to be funded by the rail industry and will ensure that regular rail customers receive appropriate redress for the disruption that they have experienced. The industry will imminently set out more detail of the eligibility requirements and how season ticket holders can claim. However, the Secretary of State has already indicated, at a high level, that he expects that the scheme should offer Northern passengers who have experienced protracted disruption of this kind similar entitlements to those under Southern’s passenger compensation scheme last year.

Rachael Maskell: Can the Minister set out exactly who he means by “the rail industry”? Clearly, we are talking about Network Rail, which is culpable for some of the issues, as well as the Department for Transport and the operators themselves.

Joseph Johnson: I want to allow us a few days to refine the details of how the compensation scheme will work. We are working carefully with all players in the industry to ensure that a fair scheme is put forward that adequately provides redress to passengers. The Secretary
of State has been clear that this will be funded by the industry. We will be bringing forward further details imminently, which I hope will answer the hon. Lady’s question.

What are we doing concretely to fix the problems that have occurred? Acting through the Rail North Partnership, the Department for Transport has put in place an action plan with Northern, which includes improving driver rostering to get more trains running now, increasing driver training on new routes, additional contingency drivers and management presence at key locations in Manchester, and putting extra peak services in the timetable along the Bolton corridor. Northern has also announced that, until the end of July, it will run fewer services than were originally planned, per the May timetable, to give passengers greater certainty and to increase opportunities for driver training. I believe that this temporary measure is necessary to stabilise the service, enabling improvements to be introduced gradually.

Northern will then get back to a full timetable service. The interim timetable, rolled out on Monday, will see an approximately 6% reduction in the number of train services—about 165 out of the normal 2,800 daily services. Northern is expecting to start to see significant improvements this week, from today, as their drivers are fully rostered on to the new interim timetable. The timings for today, as of 10.35 am or so, saw Northern achieve 86% on the public performance measure. With 665 or so trains operated, 2% were very late or cancelled, which is about 15 trains. There is positive progress here.

This is Northern’s best weekday morning performance since the timetable changed. That 86% compares with weekday out-turns of between 60% and 70% for the first two weeks following the introduction of the May timetable.

Jeff Smith (Manchester, Withington) (Lab): I have not heard an explanation of why Northern could not suspend bringing in the new timetable. The Minister has just outlined that the new interim timetable has made a difference. Why could it not have thought about bringing in an interim timetable in the middle of May, instead of the new changed timetable?

Joseph Johnson: The May timetable is a big timetable change. It is roughly four times larger than any previous change over recent years of such timetables. It was a six-monthly timetable change. It was a very big change that reflected the massive investment that has been going into the rail system and all the opportunities to create new services across the country. In those circumstances, the timetable change did not just affect Northern and Thameslink, it affected every train operation in the country. All those other train services around the country had interlinkages with the train services being run by Northern, Thameslink and other Go via Thameslink Railway services.

As a consequence, simply suspending the timetable was not possible, because all the other train operators had put in place their own driver rosters and driver training programmes for all the other services running across the rest of the country. Not introducing the May timetable at that point would have been a far worse and more disruptive solution. This is progress. We recognise that there is significantly more to be done. We want to get back to where we were meant to get to, which was the full introduction of the May timetable, as soon as we can, but we want to do that gradually and to reintroduce services as soon as we can, once the appropriate driver training has taken place.

How can we ensure this does not happen again? As I have mentioned, work has begun to set up the independent inquiry into the timetable, implementation and deliverability of future timetable changes. That will be chaired by an independent transport expert, the chair of the current independent regulator, the Office of Rail and Road, Professor Stephen Glaister. In parallel to the inquiry, the Department for Transport is assessing whether Northern met its contractual obligation—a subject which a number of hon. Members asked about—in the planning and delivery of this timetable change. We will carefully assess Northern rail’s planning, risk assessment and resilience in preparing for the May timetable change.

We are currently reviewing whether Northern is in contravention of the franchise agreement. If it is found to be so, it would be referred to the Department’s enforcement advisory panel. The purpose of that panel is to review any contraventions of the franchise agreement fairly and consistently across all franchises. It will seek to respond in a consistent manner where different train operators commit similar contraventions, taking account of the Department’s enforcement policy and previous enforcement decisions, and will recommend the appropriate response, including any remedial plan or enforcement action, if required.

Rachael Maskell: Will the Minister set out a timetable for that? I think passengers have a real interest in knowing what timetable that scrutiny will cover.

Joseph Johnson: Work has been underway over the last few weeks on this question, and we expect to come to a conclusion as soon as is reasonably possible.

In assessing whether Northern has breached its franchise agreement, it is important to bear in mind that there are other players in this story and Network Rail is an important one. While bearing in mind Network Rail’s failure to deliver the infrastructure I mentioned on time, I want hon. Members to be assured that we will hold the operator to the terms of its contractual obligations.

I want to give the hon. Member for Bolton North East a chance to wind up at the end. I thank all colleagues for their contributions. I remind them that once this phase has been completed, passengers on Northern will benefit from 1,300 extra services a week. Rail users of Northern have much to be hopeful about in the future of their rail services. Brand-new trains will soon be introduced, building on the improvement to timetables and stations already made in recent years. We are working closely with train companies to drive down cancellations and will support Network Rail and the wider industry in delivering these significant improvements.

3.56 pm

Sir David Crausby: The hon. Member for Hazel Grove (Mr Wragg) raised the question of promises. Let me tell him that I have had enough promises to fill a small filing cabinet from Northern rail. When I last met Northern rail and it made further promises, I said, “I’ll put them with the rest of them and believe it when I see it.”
My hon. Friend the Member for Stretford and Urmston (Kate Green) talked about winning back confidence and the issue of compensation. It occurs to me that compensation is absolutely vital, because nothing will focus the mind of an operator such as Northern rail more than money. Not only must we ensure that passengers are compensated; the operator must be deterred from delivering such a poor service.

My hon. Friend the Member for Oldham East and Saddleworth (Debbie Abrahams) talked about timetable issues and the question of removing the franchise. I did not hear the Minister talk about removing the franchise, but I was pleased to hear that it is at least being looked at. It does need to be seriously looked at, and certainly a little more than it has in the past.

My hon. Friend the Member for Bolton South East (Yasmin Qureshi) talked about family stress and the devolution of power to the north. I can tell the Minister that there is a perception in the north that if this had happened in London and the south-east, the Army would have been called in, Northern would have had the franchise removed and the Secretary of State would have been sacked already. Whether that is fair or not, that is how people in the north feel. There is an important job to do to ensure that that is not how people see it.

In conclusion, I want to see a better service that is fit for local people. That is something that we should all have in common, so that we can move forward without any political prejudice.

Question put and agreed to.
Resolved,
That this House has considered Northern services in Greater Manchester.

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Hezbollah's Rocket Arsenal: Southern Lebanon

Mr Philip Hollobone (Kettering) (Con): I beg to move,
That this House has considered Hezbollah’s rocket arsenal in southern Lebanon.

It is a delight to serve under your chairmanship, Sir Christopher. I thank Mr Speaker for granting this debate, and I welcome my right hon. Friend the Minister to his place to listen and respond. I called the debate because on the northern border of one of our closest allies, Israel, there is a rocket arsenal of up to 150,000 missiles aimed at all its major towns and cities, and something should be done about that. In the debate, I will rely heavily on a superb report by the High Level Military Group, “Hizballah’s terror army: how to prevent a third Lebanon war”, which was published in October.

The High Level Military Group is a group of distinguished international senior military figures, including our own General Lord Richard Dannatt and Colonel Richard Kemp, which has looked into the issue thoroughly. The report gives us a stark warning:

“The last war between Hizballah and Israel in 2006 was a severe blow to the terrorist group. But since then, Hizballah has been able to recover militarily, amassing a huge stockpile of weapons, developing and fielding new and more precise and lethal systems, and gaining combat experience fighting for Iran and...in Syria.”

Stephen Crabb (Preseli Pembrokeshire) (Con): On the subject of Hezbollah being a terrorist organisation, does my hon. Friend share my view that the distinction that we choose to make on our side—that there is a military and a civil wing to Hezbollah—is entirely artificial and that Hezbollah sees itself as a unified terrorist military organisation?

Mr Hollobone: Yes. Not only do my right hon. Friend and I agree that there is no distinction, but so does Hezbollah. In October 2012 its Deputy Secretary General, Sheikh Naim Qassem, said:

“We don’t have a military wing and a political one; we don’t have Hezbollah on one hand and the resistance party on the other... Every element of Hezbollah, from commanders to members as well as our various capabilities, are in the service of the resistance, and we have nothing but the resistance as a priority.”

John Howell (Henley) (Con): To follow up on that point, at a protest outside the Israeli embassy in Kensington in July, Israeli flags were burned and Hezbollah flags were waved with impunity. Does my hon. Friend agree that that sends a signal of lauding a terrorist organisation that should infuriate all British people?

Mr Hollobone: I agree with my hon. Friend. We will probably see more flag burning this Sunday at the al-Quds demonstration in London. I deplore all flag burning. As British Members of Parliament, we have probably seen the Union Jack burned more often than most other flags. It is frankly a disgrace that Hezbollah can parade on the streets of London. Let us remember that its flag has a raised machine gun on it, which demonstrates its belief in violent resistance.
Mr Mark Harper (Forest of Dean) (Con): My hon. Friend has mentioned the al-Quds march in London. One of the reasons why the distinction that our right hon. Friend the Member for Preseli Pembrokeshire (Stephen Crabb) sets out is a problem is that is how Hezbollah gets away with flying those flags. When it is challenged about being a proscribed military organisation, it effectively has some small print at the bottom of the flag that says it is the civilian wing, and the police are then not empowered to do anything about the march. Does my hon. Friend think that issue should be tackled?

Mr Hollobone: Yes, I absolutely agree, and I hope that the Minister will relay to the Home Office the concerns that have been raised about that here. As we have discussed, Hezbollah does not see a difference between a military and a political wing. Very distinguished international bodies have banned Hezbollah outright and have proscribed it as a terrorist organisation, including the United States, Canada, the Netherlands, the Arab League and the Gulf Co-operation Council. Frankly, we should join them.

Before I took those three helpful interventions from distinguished colleagues, I was in the middle of quoting the High Level Military Group report, which continues:

"There is nothing predetermined in strategic life, but the new configuration of forces in the region could lead to a new war that, because of the regional dynamics and new security imperatives, will be much more violent and destructive than the previous ones."

We have been warned.

In case I get distracted during the rest of my contribution, I will go on to the solutions that the High Level Military Group outlines. Having extensively researched the subject, including through visits on the ground, it states that "our assessment is that a new and grave conflict is only a matter of time, and the international community must act to help prevent it."

Jack Lopresti (Filton and Bradley Stoke) (Con): I am sorry to interrupt my hon. Friend in mid-flow, but by drawing attention to the financial backers of Hezbollah and Hamas—the Iranians—whose mission seems to be to create mayhem, chaos and murder in the middle east, should we not send a message, as strongly as possible, that Iran's malign and wicked influence in the region is a threat to peace and we will not tolerate it?

Mr Hollobone: My hon. Friend is absolutely right that sanctions relief funds the jihadi revolutionary network driven by Iran. It is not just Israel that is under threat, but Saudi Arabia. Iran is effectively establishing rocket arsenals in southern Lebanon with Hezbollah, in Gaza with Hamas and now in Yemen against Saudi Arabia with the Houthi rebels. We should call that out.

That excellent report continues:

“Urgent steps are required to contain Hizballah and de-escalate the tensions on the border between Israel and Lebanon.”

The first point for the Minister is that there must be "a clear recognition of the geopolitical ambitions of Iran," which we have just discussed,

“its religiously motivated imperialism and its pursuit of Israel’s annihilation as the core driver of the danger…The international community must take actions to curtail Iran’s activities, raise the cost of its behaviour and engage in efforts at deterrence.”

Apparently, with our new relationship with Iran, we were meant to be able to dissuade it from engaging in that sort of activity, but it seems that since the nuclear deal was agreed, if anything, Iran has stepped up the pace.

The report’s second recommendation is that "the more specific problem of Hizballah must be addressed from multiple angles. Within Lebanon itself, the political cost of the integration of this terrorist organization into the fabric of the state must be raised. Thus, European nations should legally proscribe Hizballah as a whole, ending the fraudulent distinction between ostensible political and terrorist wings of the organization. Similarly, donor nations to Lebanon, led by the U.S., should make new investments conditional on a plan to strip Hizballah of its de facto status as the leading force in the country… The full implementation of UNSC— the United Nations Security Council— "resolutions 1559 and 1701, enforced by an expanded mandate for UNIFIL”—

the United Nations Interim Force in Lebanon— "and the requisite political pressure, should be a central part of such an effort.”

The third recommendation is that "the West should strongly support Israel in its efforts to de-escalate the tensions. There is no plausible legitimate explanation for Hizballah’s efforts to arm itself and threaten Israel other than the explicit religiously motivated Iranian drive to destroy Israel.”

Again, in the clearest possible terms, the report sends us a serious warning that war is very likely in the short term in southern Lebanon.

Hezbollah is Arabic for “Party of God”—that is what the name means—and it is a radical Shi’a Islamist terror group based largely in southern Lebanon. It was founded in 1982, with Iranian support, after the first Lebanese war. Hezbollah takes all of its ideological inspiration from the Iranian revolution and the teachings of the late fundamentalist Iranian supreme leader, Ayatollah Khomeini. Hezbollah seeks to violently impose its totalitarian ideology on Muslims and forge a radical, Iranian-style Islamic state in Lebanon in its determination to destroy Israel and drive out western and other non-Islamic influences from the Muslim world.

The Hezbollah leader is known for his venomous, anti-Semitic rhetoric and has called repeatedly for the destruction of the state of Israel. Hezbollah is linked to a history of international terror attacks. It now has de facto control of Lebanon’s Government and boasts the country’s largest military infrastructure, including up to
an estimated 150,000 Iranian-supplied rockets capable of striking anywhere in Israel. Iran provides financial support for Hezbollah, with weapons, technology and salaries for its tens of thousands of fighters.

At the time of the last Lebanon war, in 2006, it was estimated that Hezbollah had between 10,000 and 15,000 rockets, and about 10,000 fighters. Now, in 2018, the rocket arsenal has increased tenfold, to up to 150,000 rockets, and Hezbollah has as many as 45,000 fighters, many of whom are battle-hardened from experience in Syria. As well as having a military footprint on the ground, Hezbollah is also involved in drugs and arms smuggling, money laundering and document fraud.

Hezbollah’s rocket arsenal has only one purpose and that is to threaten Israel. Israel has no territorial ambitions in southern Lebanon at all. Moreover, Hezbollah has not only imported weapons from Iran but it now has the capability to manufacture such weapons itself in at least two rocket factories located in Lebanon.

The rocket arsenal includes everything from Katyusha rockets at one end, which have a small payload and a very limited range, all the way up to Syrian B302 missiles, Zelzal-2 missiles, M600 missiles and Scud B missiles at the other end, which can reach anywhere in Israel. Although Israel has anti-missile capability, with its anti-missile batteries, taking out 150,000 rockets that are all fired basically at the same time would be impossible for any military force to achieve.

Another problem is that this rocket arsenal is not all lined up on the border, so that everyone can see it; it is embedded in more or less every Shi’ite village located in southern Lebanon. Effectively, therefore, Hezbollah is using the population of southern Lebanon as a human shield for the development of its weapons systems. What is rather more serious is that Hezbollah is not only using the Lebanese civilian population as a human shield, but effectively using UNIFIL as a shield for its activities as well.

At the end of the second Lebanese war, Israel withdrew under the terms of UN resolution 1701. One of the clauses in that resolution said that UNIFIL should disarm military actors in southern Lebanon. Members do not need just to believe me, because the report states:

“UNSC Resolution 1701 mandates that UNIFIL monitor the cessation of hostilities, accompany and support the Lebanese armed forces as they deploy throughout the south, and to take steps towards the establishment between the Blue Line”—the border with Israel—

“and the Litani river of an area free of any armed personnel, assets and weapons other than those of the Government of Lebanon and of UNIFIL deployed in this area.”

It is clear to me and to the High Level Military Group that UNIFIL has completely failed in this part of its mandate and that it has effectively allowed a tenfold increase in the rocket arsenal that Hezbollah can deploy against Israel.

My big ask to the Minister is that we need to use our good offices in the United Nations to strengthen UNIFIL’s mandate, so that it can proactively disarm Hezbollah’s rocket arsenal. Otherwise, what is the point of UNIFIL? I would even go so far as to say that, although there has not been any major outbreak of fighting in southern Lebanon since 2006, it is not clear to me that that has anything to do with UNIFIL’s presence on the ground there. If anything, UNIFIL’s being there has effectively allowed Hezbollah the space and cover it needed to build up its rocket arsenal, which would not have happened if UNIFIL had not been there in the first place.

We can also play a part, as many right hon. and hon. Friends have said, by banning Hezbollah in its entirety and proscribing it as a terrorist organisation, because it entirely meets the criteria for full proscription under the Terrorism Act 2000. The Home Office guidance to that legislation states:

“Under the Terrorism Act 2000, the Home Secretary may proscribe an organisation if she believes it is concerned in terrorism, and it is proportionate to do. For the purposes of the Act, this means that the organisation: commits or participates in acts of terrorism; prepares for terrorism; promotes or encourages terrorism (including the unlawful glorification of terrorism)—we will see that “unlawful glorification” on the streets of London this Sunday during the al-Quds march— ‘or is otherwise concerned in terrorism’.

Hezbollah is the most destabilising factor within Lebanon itself. It has now become a state within a state, and it has built up a massive rocket arsenal that threatens one of our closest allies. The evidence is there for all to see, especially by those in the Foreign Office, and it is now time for Her Majesty’s Government to take action.

4.16 pm

The Minister for the Middle East (Alistair Burt): Thank you, Sir Christopher, for calling me to speak and, as always, it is a great pleasure to serve under your chairmanship.

First, I congratulate my hon. Friend the Member for Kettering (Mr Hollobone) on securing this debate, and other colleagues on their interventions and other contributions. I also congratulate my hon. Friend on the thoughtful and detailed way in which he set out the concerns, based on the report, “Hizballah’s terror army: how to prevent a third Lebanon war”, by the High Level Military Group.

According to sources in the region, Hezbollah’s military capability has grown significantly since the start of the Syrian civil war. I do not have precise figures to respond to my hon. Friend with, but reports suggest that Hezbollah could now indeed have as many as 100,000 rockets, including hundreds of advanced rockets with a range of up to 300 km. That is deeply concerning and a clear threat to the stability of the region. The premise of my hon. Friend’s debate is entirely correct and fully well founded.

In addition, Hezbollah is also in direct violation of UN Security Council resolutions 1559 and 1701, which my hon. Friend mentioned and which stated that there should be no weapons or authority in Lebanon other than those of the Lebanese state and that only the Government of Lebanon were permitted to authorise the sale or supply of arms and related materiel to Lebanon. I will say more about our detailed support for Lebanon in a moment.

Jim Shannon (Strangford) (DUP): I thank the Minister for giving way, and I congratulate the hon. Member for Kettering (Mr Hollobone) on securing the debate—I also apologise to him for not being here earlier to hear his full speech.
The Minister mentioned the 130,000 to 150,000 rockets. Is he also aware of the 50,000 soldiers, including reservists, that Hezbollah has? Does he agree that Israelis are entitled to be concerned about the relationship between Lebanon and the Hezbollah terrorists? Quite clearly, there is a connection between the two at this moment in time, so Israel has every right to have fears.

Alistair Burt: Yes, Mr Speaker—sorry, Sir Christopher. I am giving you an elevation there—in due course.

In response to the hon. Gentleman’s intervention, yes, the premise of the debate is correct; there is no argument about that here. Hezbollah is a dangerous and destabilising force. It sits on the northern border of Israel. Israel has every right to be concerned and to seek support in relation to dealing with that. That is what I would like to explain in terms of the United Kingdom’s relationship here.

I confirmed the United Kingdom’s support for the position in UN Security Council resolutions 1559 and 1701 when I was at the International Support Group for Lebanon meeting in Paris last December and at the Rome II ministerial conference on support to the Lebanese security forces in March. The joint statements that followed those meetings, which were agreed by a large cross-section of the international community, emphasised the role of the Lebanese armed forces as the sole legitimate armed force of Lebanon. I should add that Israeli overflights of Lebanon also violate UN Security Council resolution 1701 and contribute to increased tension in the area. The activity by Hezbollah risks triggering a conflict between Hezbollah and Israel on a scale far beyond that seen during the 2006 war. That could devastate Lebanon and further destabilise an already vulnerable region.

The UK has made clear our concern at Hezbollah’s destabilising actions in Lebanon and the region. We operate a policy of no contact with the entire organisation, and we have repeatedly condemned the group’s support for President Assad’s brutal regime in Syria.

Stephen Crabb: I am listening to the Minister with great interest, as I always do. Just a moment ago, was he drawing an equivalence between Israeli overflights of Lebanese territory and Hezbollah’s stockpile of 150,000 rockets?

Alistair Burt: No, not at all, and I would not seek to do so. I was saying that when people are looking for violations of resolution 1701 in the region, as they do, that is an issue that comes up. Clearly, the risk of the missiles is far beyond that of Israeli overflights. I mentioned it simply because if people are going to take note of the resolutions, then everyone should do so, but I fully understand the context in which the overflights take place.

The UK proscribed Hezbollah’s external security organisation in 2001. In light of Hezbollah’s support for militant groups such as Jaysh al-Mahdi, which was responsible for attacks on British troops in Iraq, we extended the proscription in 2008 to include Hezbollah’s military wing, including its jihad council and all units reporting to it.

We are working with our European partners to challenge Hezbollah’s malign activities, as my hon. Friend the Member for Kettering set out. We are a key player in international efforts to strengthen the global response to money laundering, terrorism financing and crime. The UK is a founding member of the Financial Action Task Force. We spend significant resource on strengthening that global network, working with it and the Financial Action Task Force regional body for the middle east and north Africa. We fund and deliver a significant amount of technical capacity-building, including in the middle east. We also designate certain individuals linked to Hezbollah under the Terrorist Asset-Freezing etc. Act 2010.

Mr Harper: I hope the Minister will forgive me if he is about to cover this point in his remarks, but I was listening very carefully a few moments ago when he said that the British Government have no contact with any part of Hezbollah. I welcome that, but I genuinely do not understand why we make the distinction in the way we do between the military arm and the non-military arm. As my right hon. Friend the Member for Preseli Pembrokeshire (Stephen Crabb) said, the organisation does not make that distinction in that way.

Alistair Burt: The distinction has been drawn for some time. We recognise Hezbollah as a political entity in Lebanon in an exceptionally complex Government structure that I am sure all colleagues are aware of. That does not mean we do not keep all its activities under careful monitoring. We have no contact with any part of the organisation, but it is not Government policy to discuss organisations that are not on the proscribed list, including speculation as to whether an organisation is or is not under consideration for proscription. Beyond that, I cannot say anything further. What I want to spend time in the debate doing is illustrating the work that the United Kingdom undertakes to undermine the criminal and terrorist activities of Hezbollah and what we do to strengthen Lebanon in relation to its response to Hezbollah.

Ross Thomson: Just before my right hon. Friend moves on to that important part of his remarks, would he not accept that the UK Government should judge Hezbollah by the totality of its actions in terms of criminality, drugs smuggling, terrorism and militant activities? By proscribing Hezbollah, we would send the strongest possible message that the UK abhors terrorism in all its forms.

Alistair Burt: I have no need to express our view on terrorism any more forcefully than my hon. Friend has, as what he said is the policy of the United Kingdom. I have already said what we are doing to try to mitigate the effects of Hezbollah, but I have also said I will not be drawn down the line of proscription, because we do not discuss organisations and whether proscription is possible. If he will forgive me, I would like to say what we are doing to strengthen Lebanon and fulfil some of the obligations of those UN Security Council resolutions, which are crucial.

We maintain that the best way for the UK to help to tackle Hezbollah and its weapons and to support Israel is threefold. The first part is to support UNIFIL, which is important, and I will come on to that point later. The second is to support the defence of the state of Israel, and I do not think anyone queries whether the United Kingdom does just that—we do so in a number of
different ways. The third is to strengthen and empower the Lebanese state, which should not be seen as a bit-part player; it is crucial, but all too often it is left out of discussions. It is important we do what we can to protect Lebanon from wider instability in the region.

John Howell: I hear what the Minister is saying, and I would like to concentrate on his third point. I support him in trying to support Lebanon's many moderates, but does the existence of Hezbollah not make that a difficult thing for us to achieve?

Alistair Burt: The region is mostly difficult. Many difficult characters fill Government positions and political positions throughout the region, not all of whom would be elected to our parish and town councils, because of their backgrounds. That is the reality of life. We draw careful distinctions, as we are right to do. It does not make life impossible, because it should not. If I may, I will explain how we try to deal with that.

Lebanon's security services have a vital role to play in ensuring the country's stability, security and sovereignty. That is why we promote their role as Lebanon's sole guarantors of security. Power must be in the hands of the state, not the hands of non-state actors beholden to external forces. With an accountable and professional military in place, the Lebanese people would have less cause to turn to others for their security. That is why we have been working with the Lebanese armed forces since 2012 on a £61 million project to help secure the Lebanon-Syria border. Once complete, the Lebanese armed forces will have secured the entire Lebanon-Syria border for the first time in Lebanese history.

With our support, and the support of other key donors, the Lebanese armed forces have developed and modernised over the past 10 years, to become a respected, professional army capable of protecting Lebanon. I was pleased to meet them and see some of our work there last autumn when I went to Lebanon. The Lebanese forces demonstrated that progress in August last year by defeating Daesh on the Lebanon-Syria border in an operation involving UK-trained troops and border positions constructed with UK assistance. We want to help maintain that success. That is why, at the Rome II conference, I announced an additional £10 million of security support for Lebanon.

However, that security support from the international community will not be sufficient on its own to ensure a stable and secure Lebanon. It is vital that Lebanon's next Government make clear political progress to strengthen the Lebanese state. We welcome Lebanon's first parliamentary elections since 2009. We now hope to see the swift formation of a new Government addressing crucial issues. Lebanon cannot afford to be a factor for conflict in the middle east, because that will attract instability to itself.

The next Lebanese Government will have the important task of protecting Lebanon's stability and security. They must do so by robustly implementing the policy of disassociation from regional conflict, by abiding by the provisions of all relevant UN Security Council resolutions—in particular 1559 and 1701—and by ensuring that the state's legitimate security institutions hold the monopoly on the use of force. While the UK wants to continue to support Lebanon, I fear that the international community will find it increasingly difficult to do so if the next Government do not take concrete steps on those crucial issues. It is imperative that we see progress.

To conclude, Hezbollah's actions and the reported size of its weapons arsenal are deeply concerning to the United Kingdom and a threat to stability in an already fragile region. The best way to tackle both those things is a secure and stable Lebanon with strong institutions, a professional army that inspires the trust of its people, and a Government who protect Lebanon from wider instability. We stand ready to support Lebanon in upholding these values and addressing the challenges it faces and to support those threatened by Hezbollah. We will continue to help them in relation to this difficult situation.

Question put and agreed to.
Voter ID Pilot Schemes

4.29 pm

Ellie Reeves (Lewisham West and Penge) (Lab): I beg to move,

That this House has considered voter ID pilot schemes.

It is a pleasure to serve under your chairmanship, Sir Christopher. The voter identity pilot scheme that was used in five local authority areas in this year’s local elections signals one of the most disproportionate and ill-thought-out changes to our electoral system in recent years. As the only Labour Member of Parliament representing an area used in the pilot scheme, I feel compelled to give the other side to the story that is being given by those merely repeating buzzwords and top lines on behalf of the Government.

The foundations for the pilot are well known and, arguably, well intentioned. It is true that at election times there is the potential for cases of fraud or voter impersonation. I do not dispute the fact that any attempt at fraud or voter impersonation is wrong, should be thoroughly investigated and, if appropriate, prosecuted. Electoral fraud is a serious crime, but to suggest that it is a widespread problem is gross hyperbole, and the introduction of voter ID schemes is akin to using a sledgehammer to crack a nut.

In Great Britain, excluding Northern Ireland, where they have their own arrangements, there were 21 cases of alleged impersonation in polling stations in 2014, and 26 cases in 2015, amounting to 0.000051% of overall votes cast. In 2016 there was one successful prosecution and three cautions. In 2017 there were just 28 allegations of impersonation and one prosecution, equating to 0.000063% of overall votes cast.

Mr Tanmanjeet Singh Dhesi (Slough) (Lab): I thank my hon. Friend for securing the debate; she is making an excellent speech. On the point that she has just raised, is that not precisely why the respected and independent Electoral Reform Society has criticised the scheme? The Equality and Human Rights Commission also warned the Government that a voter ID scheme would have a disproportionate impact on protected characteristic voters, such as those from ethnic minorities, older people, trans people and people with disabilities. That is precisely why the scheme should not have gone ahead.

Ellie Reeves: I thank my hon. Friend for that intervention. He is right that the Electoral Reform Society has criticised the scheme, stating that electoral fraud at the ballot box “is an incredibly rare crime because it is such a slow, clunky way to steal an election—and requires levels of organisation that would be easy to spot and prevent.” I will talk about protected characteristics later in my speech.

Mr Mark Harper (Forest of Dean) (Con): I rise to speak only because the hon. Member for Slough (Mr Dhesi) mentioned the Electoral Reform Society. It is worth putting it on the record that after the election the Electoral Reform Society alleged, early in the day, that 4,000 people had been turned away from voting. It turns out that that number was massively overstated; the real number was actually, at most, 340. That was beautifully demolished by the Radio 4 programme “More or Less”. It is worth putting it on the record that the ERS was not very accurate in its analysis.

Ellie Reeves: I thank the right hon. Gentleman for those points, but the reality is that it is very difficult to monitor how many people were disenfranchised, because some people did not turn out to vote or left the queues. That was certainly the experience in my constituency, which I will talk about later. I expect that the figure probably is quite a lot higher than the 300 that has been quoted.

The introduction of voter ID laws would make no difference to allegations of fraud with postal votes, proxy votes, breaches of secrecy, tampering with ballot papers, bribery, undue influence or electoral expenditure, which are arguably the areas where most electoral offences occur. Let me repeat: any attempted voter fraud or impersonation is wrong and should be thoroughly investigated, but the figures relating to alleged fraud at polling stations do not point to any widespread issue or problem relating to impersonation. An overhaul of the voting procedure by introducing identification requirements has been a step too far.

Mr Jonathan Lord (Woking) (Con): The hon. Lady mentioned Northern Ireland a moment ago. Given what she says, presumably there is evidence of marginalised groups being discriminated against in Northern Ireland. As I understand it, voter identification has taken place there simply and effectively for many years. What is the evidence of discrimination?

Ellie Reeves: There has certainly been clear evidence of people being disenfranchised in my constituency, which was part of the pilot. In fact, in Bromley, the area I represent, prior to the scheme being launched an impact assessment said that the scheme was likely to have an adverse impact on older people and trans people. That is evidence from Bromley’s risk assessment.

Chris Green (Bolton West) (Con): Will the hon. Lady give way?

Ellie Reeves: I want to make some progress. I have big concerns about the potential disenfranchisement of voters in areas where people who are legally entitled to vote may not have identification in line with the requirements. Even before discussing the concept of voter ID, the requirements across the pilot schemes were wide ranging and different, meaning that aggregated findings or comparative analysis will both be questionable in any Government evaluation. Bromley, Gosport and Woking required ID documents, whereas Swindon and Watford required only a poll card. Interestingly, none of the trial areas had a significantly poorer or more ethnically diverse population than the national average, or any recent historical examples of voter fraud or voter impersonation.

As I said, Bromley Council’s impact assessment stated that there would be a noticeable effect on the elderly and trans people. It highlighted concerns that voters in those categories would be less likely to have up-to-date documentation in line with the requirements. As my hon. Friend the Member for Slough (Mr Dhesi) said, prior to the roll-out the Equality and Human Rights
Commission warned the Government that voter ID schemes would have a disproportionate impact on voters with protected characteristics, particularly those from ethnic minority communities, older people, trans people and people with disabilities.

Before committing to any further changes to the way in which citizens vote, we should look at the experience of other countries that have rolled out identification checks at elections. Experience from the United States has shown that voter ID schemes disproportionately affected marginalised groups, because those who could not afford to drive or go on holiday often did not have the specified documentation. Figures from the last census, recorded in 2011, show that 9 million people in the UK do not hold a driving licence and 9.5 million do not hold a passport. To put that in perspective, figures from the Electoral Commission show that 24% of the electorate do not have access to a passport or photographic driving licence.

Furthermore, 3.5 million people in Great Britain—7.5% of the electorate—do not have access to any form of photo ID whatsoever. If voters live in shared accommodation or often move, they are also less likely to have bills or paperwork in their name. With regard to the groups highlighted in the various equality impact assessments, we must consider the impact on those unlikely to have up-to-date ID. The recent Windrush scandal has shown that even those who are legitimate citizens and voters have struggled to access services to which they are entitled. Further expansion of voter ID schemes could see the Windrush generation denied their democratic rights, adding further insult to injury.

Notwithstanding those points, it has also been reported today in The Guardian that two barristers have called into question the legality of the pilot, given that it made voting harder, casting further doubt on a scheme that is already being turned away multiple people by 10.30 am for not having the correct ID. When I went to vote at 8.45 am at my polling station, I was told of two people who had already been turned away. In addition, the increased time that it takes to do ID checks puts a strain on the rate at which polling stations can process voters. The morning on polling day there were reports of queues in Bromley due to the extra processing time, and of voters leaving before casting their ballots because, understandably, people do not necessarily have the extra time to wait while also juggling family and work responsibilities.

I also heard reports of polling station staff not being fully briefed on what ID was acceptable. In one case, a voter with a bank card was initially refused, but subsequently showed the polling staff the guidance that stated it was a valid form of ID. How many people might they have turned away before being shown the correct guidance? Another case involved a voter with a utility bill on their phone, who was told by staff to go home and print the document out. The polling station staff clearly had not been given guidance on whether a digital copy was sufficient. Such examples suggest that polling stations across Bromley were not adequately prepared for the trial and that Bromley’s measurements of 154 voters being turned away are far from exact. I believe that many more people might have been turned off from voting.

Mr Lord: The hon. Lady speaks about passports and driving licences, yet even Woking, which was an ID pilot area, allowed lots of different forms of photographic identification—I think 10% of those who voted had a senior bus pass, and various student cards were also admitted. She talks about millions of people being disenfranchised. In Woking only a tiny percentage of people did not hold any of the forms of strict ID—and, of course, such people could always apply for a free elector card.

Ellie Reeves: I will go on to talk about the experience in Bromley, where people were turned away. A number of different forms of ID could be taken to the polling station, but nevertheless people were disenfranchised, and I will speak about that in a moment. Unlike in Swindon and Watford, where voters were required only to bring their polling cards, in Bromley, Gosport and Woking, where formal ID was required, voter turnout was marginally down compared with the 2014 local elections. The scheme took place in five areas, but I can speak specifically, and with first-hand experience, about the impact of the trial in Bromley. Reports on polling day from the Bromley wards within my constituency highlighted numerous cases of voters being turned away and prevented from rightly casting their vote. The council’s figures suggest that 154 people in Bromley were unable to cast their ballot on 3 May. When I was out campaigning on the doorstep, I was told of a significant number of people telling activists that they would not be voting because they did not agree with the principle of being asked for ID. Although that is direct evidence of voter disenfranchisement, it is unfortunately incredibly hard to measure.

On polling day, four polling stations in the Crystal Palace ward in my constituency had already turned away multiple people by 10.30 am for not having the correct ID. When I went to vote at 8.45 am at my polling station, I was told of two people who had already been turned away. In addition, the increased time that it takes to do ID checks puts a strain on the rate at which polling stations can process voters. In the morning on polling day there were reports of queues in Bromley due to the extra processing time, and of voters leaving before casting their ballots because, understandably, people do not necessarily have the extra time to wait while also juggling family and work responsibilities.

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Dr Dan Poulter (Central Suffolk and North Ipswich) (Con): I congratulate the hon. Lady on securing this debate on an important issue. She is quite rightly highlighting some of the challenges that voters might face when we introduce a new system. Would she also accept that this was a pilot scheme, and that we aim to learn from pilots? Is she, in principle, supportive of the idea that voters should prove who they are when they go to the polls?

Ellie Reeves: No. For the reasons I have already set out and will continue to set out, I do not, in principle, support the changes because, as the Equality and Human Rights Commission and the Electoral Reform Society have identified, it is likely to lead to widespread disenfranchisement. I say that 154 people being disenfranchised in Bromley is 154 too many.

Mr Dhesi: Studies from the University of California have shown that such schemes are merely a tool for voter suppression. Does my hon. Friend agree? As the Windrush scandal has aptly highlighted, many people within the UK do not even have one piece of ID, let alone several.

Ellie Reeves: I agree that the scheme seems to disenfranchise certain groups, and that is something we should all be very worried about. The Labour party has
been clear, repeatedly, that we believe the pilot to be misguided. I understand that more than 40 campaign groups that share our view have contacted the Cabinet Office, calling on the Government to drop any further roll-out.

Mr Harper: On that point, will the hon. Lady give way? Will she indulge me?

Ellie Reeves: I will give way briefly, but I do want to make some progress.

Mr Harper: I am grateful to the hon. Lady and I promise that I will not intervene again. She mentions the Labour party. Why is it that she does not think people should have to prove their ID when they are voting in public elections, yet my understanding is—although I am obviously not an expert—that the Labour party in internal party elections, such as those for selecting candidates, insists that people have to show ID to prove who they are? Is that not a little hypocritical?

Ellie Reeves: It is right when people vote in internal Labour party elections that they can demonstrate that they are a Labour party member. That is completely different from someone exercising their democratic and fundamental right to vote in elections for their representatives in local government or in Parliament. The analogy is misguided and wrong.

When the issue of the pilot schemes was recently raised at Cabinet Office questions, the Minister suggested that the pilot was deemed by the Department to be a success. However, there is no doubt that voters were denied votes and that voters were put off—disproportionately so, in comparison with previous reports of voter fraud. Can a flagrant disregard for disenfranchising voters really be regarded as a success? In the year of celebrations marking the centenary of the Representation of the People Act 1918 and women being entitled to vote, do we really think it is appropriate to advocate a scheme that has irrefutably excluded some voters?

Turnout at general elections has faltered over the past 25 years and it was encouraging to see a 2.5% increase in votes cast at the 2017 snap election. I am concerned that, were the scheme to be rolled out further, we would see greater issues at the next general election.

Afzal Khan (Manchester, Gorton) (Lab): I thank my hon. Friend for raising this important issue. I wonder whether she shares my concern about vulnerable groups. None of the five trial areas had significantly older, poorer or ethnically diverse populations. How can we be sure that a large number of such voters would not be disenfranchised?

Ellie Reeves: I thank my hon. Friend for making that important point. I have very real concerns that if the scheme were to be rolled out in inner-city London constituencies or Manchester constituencies, for example, where there are much larger ethnic minority communities, swathes of the electorate could be disenfranchised. In my view, swathes of voters could be turned away if this scheme was rolled out country-wide at a general election. Voter ID does little to instil confidence in our electoral system or encourage greater participation—in fact, quite the opposite.

On current data, figures and analysis, we have a pilot scheme that risks disenfranchising many and creating issues that did not previously exist. The 2017 figure that 0.000063% of overall votes cast were allegedly fraudulent is set against data that shows that 7.5% of the electorate do not hold any photographic ID, which means the number of those at risk of disenfranchisement outweighs the number of allegations of voter fraud by a factor of more than 119,000. I have previously used the analogy of a sledgehammer to crack a nut, but I am no longer confident that that is a sufficient metaphor to describe the utterly disproportionate methods we have seen trialled this year.

Although the schemes will now be evaluated by the Government and the Electoral Commission will prepare its own report, I am concerned that the schemes will be clumsily rolled out across the country through secondary legislation without due care and attention, as exhibited in the run-up to the pilot, and we could find ourselves with a cumbersome, ill-thought-out electoral process that leaves thousands of legitimate voters without their democratic voice. At the moment the Government find themselves patting each other on the back, congratulating themselves on a job well done, but I must tell the Minister that the pilot cannot be regarded as a success. I have voiced legitimate concerns on behalf of my constituents who took part in the pilot, and their opinion and experiences must be taken on board. If not, this Government will have voter disenfranchisement added to their ever-growing charge sheet on alienating the public. It is surely time to think again.

4.48 pm

Chris Green (Bolton West) (Con): It is a pleasure to serve under your chairmanship, Sir Christopher. I am grateful to the hon. Member for Lewisham West and Penge (Ellie Reeves) for securing this debate. It is really important that the House has the opportunity to discuss voter ID.

Some Members may be aware that I laid a ten-minute rule Bill to discuss voter ID before the House. Since I presented that Bill, many constituents and others from around the country have raised the subject with me, expressing their enthusiasm for the scheme. Many people find it incredible that they do not have to show ID when they go to a polling station. They have to show ID when they collect a package from Royal Mail, and in so many other parts of life—it is a common and accepted thing. Why, when engaging in such an important matter as democracy, is the threshold for participation so low? A minimum threshold of proving who you are to engage in democracy is quite reasonable.

Mr Harper: As my hon. Friend says, it is important for someone to be able to show their identity. Does he welcome the fact that a range of different mechanisms were tried in the different pilot areas? Is he also aware of the fact that in Northern Ireland, where they have had this system in place for many years—a system that was legislated for by a Labour Government—any voter can have an ID card free of charge to use specifically to prove their identity in an election, and that that does not seem to have caused particular problems?

Chris Green: That is of great importance, and I agree entirely. A range of forms of identification were checked in these schemes, and a variety of options could be
Mr Dhesi: Northern Ireland has invested millions of pounds over a considerable period to put that scheme in place. Such a scheme would have to be rolled out across the whole of England, but in these austere times we are led to believe that we do not have the money for our NHS. If we have the money for this pilot scheme, surely money should also be spent on much worthier causes, such as our NHS and our education system.

Chris Green: I think we have a different point of view. I hope that my constituents regard our democracy as very important and worth investing in. Northern Ireland is a role model for how this can be delivered. It is interesting that there has been no evidence forthcoming from Northern Ireland about people with protected identities being disadvantaged. I would have thought that Opposition Members might focus a bit more on the evidence from the United Kingdom, rather than referring to the United States of America, which has a very different system.

People expect to show ID. In fact, people often think they are disenfranchised because they have lost their voter card. It is posted out weeks before the election, and if people lose it they think, “I don’t have my card, so I can’t vote. I’m disenfranchised.” If we use forms of ID that people carry daily, they will feel more confident attending the polling station, presenting their ID, voting and participating in our democracy. As was highlighted previously, that is no less than the Labour party expects.

Jim McMahon (Oldham West and Royton) (Lab/Co-op): The hon. Gentleman rightly stated that the democratic right that we enjoy should be protected, but is he concerned that this measure has been introduced without an Act of Parliament?

Chris Green: At the moment, we are just looking at trial schemes. It is important to have evidence from trials before we roll out the scheme across the country. There were five pilots around the country for checking voter ID.

My constituents are also concerned about postal voter fraud, and there was a postal vote trial in Peterborough, Slough and Tower Hamlets. When people think about voter fraud and corruption of the political system, they think of Tower Hamlets. It was not the Mayor of London but a Mayor in London who was kicked out of office because of irregularities in the voting system in Tower Hamlets. Statistics such as 0.000—whatever per cent are not very relevant when a Mayor in London has been kicked out of office. I welcome these pilots, and I hope the Minister will give some indication of when the scheme can be rolled out across the country, because my constituents would welcome that.

Jim Fitzpatrick: Northern Ireland, where there is excellent participation, is a role model for how the scheme can be implemented in the rest of the country.

I support the Government’s efforts to protect our democracy. I am not persuaded by the argument that people have been deterred, and especially not by the argument about pensioners not having passports or driving licences. Every pensioner in London has got a freedom pass. I would be interested to hear from the Minister whether the freedom pass, which is photographic ID—I do not know any pensioner in London who does not have such a card, which allows them to take advantage of free travel—is an appropriate document for the trials.

The hon. Member for Bolton West mentioned Tower Hamlets. We have had allegations of fraud in every single domestic election except 1997, including of personation, intimidation and postal vote manipulation. The ID proposals should deal with personation. Intimidation has been dealt with by establishing sterile areas outside every polling station, which are policed by the Metropolitan police at every election. I think postal voting is still far too lax, which is why I am glad Tower Hamlets participated in the pilot. Every political party has been spending far too much time harvesting postal votes from its supporters. Anyone can sign up for a postal vote, which is to the parties’ advantage, but I think that devalues postal voting and lightens the democratic burden on the citizen to participate in our democracy.

The final paragraph of the Tower Hamlets briefing that I sought for this debate, which was very superficial, says:

“On completion of the two stages the data compiled was extracted and forwarded to the Electoral Commission for analysis in accordance with the requirements of the order. Once analysed by the Commission all stakeholders—namely the Commission, Cabinet Office and Tower Hamlets Returning Officer—will meet to compare the data extracted, review the process and explore the merits of these pilots and any further schemes that may be considered necessary in the future.”

My question to the Minister is, is there a timeframe for when we might hear what the conclusion of that analysis was?

Postal voting is far too easy. I had a look at the briefings from the House of Commons Library, the Electoral Commission and the Electoral Reform Society. I had to chuckle at the briefing from the Electoral Reform Society, because one of the frequently asked questions it attached to its response is:

“Don’t you need ID to vote in Europe?”

It says:

“Nearly all European countries have mandatory ID card schemes with either free or low-cost cards. As the ID cards are mandatory all voters have ID cards, so no groups of voters are discriminated against.”

I am very disappointed that, when the Labour Government proposed ID cards, we were beaten back by the liberal left, the libertarian right and the media, which said, “This is outrageous and too expensive.” It not only would have dealt with voter fraud and personation but would have improved security, dealt with NHS tourism and helped to deal with benefit fraud, but the proposals were defeated.
Voters welcome the opportunity to defend their right to vote. That is a precious privilege that we need to defend—I do not think that that view is something that is under attack. I will be listening to the Minister, because I think these pilots are important. Serious questions are rightly being asked of the pilots, and the Government will have to defend their conclusions, but I am not opposed to the fact that the pilots took place, as we need to defend our democracy as best we possibly can.

4.58 pm

Mr Jonathan Lord (Woking) (Con): My constituency of Woking was one of the areas that had a voter ID pilot, and I think it is fair to say that it was the strictest of them all. It demanded a specific item of photographic voter ID or anlector card, which could be applied for before 5 pm on Wednesday—the day before polling day. Woking Borough Council has already submitted an interim report, which states:

“Voters across the Borough were required to show one of a number of approved forms of photographic identification before they were issued with their ballot paper at the polling station. Where electors did not have one of the approved forms of identification, there was the option to obtain a free Local Elector Card, with 57 of these cards issued during the trial.

Figures demonstrate that out of 18,851 voters who attended a polling station, 99.73% of electors provided the right form of photographic ID. In total, 51 people (0.27%) brought the wrong ID or attended with no ID and were not issued with a ballot paper. The report indicates that overall turnout to the election was unaffected by the trial, comparing favourably to previous elections at 37.75% compared to 37.71% in 2017 and 35.81% in 2012 (when the last Borough only election was held).”

That is a pretty remarkable result.

Ray Morgan, Woking Borough Council’s chief executive and returning officer, expressed satisfaction with the trial:

“Given that 99.73% of voters brought a correct form of ID and engaged positively with the pilot and only 0.27% did not, I think we can call this trial a great success. I would like to thank Woking’s electorate for their cooperation and understanding throughout the trial. I would also like to acknowledge the hard work of all members of polling station staff and Council officers in the lead up to the election, and on the day, to make the new process such a success.”

I would like to add my personal thanks. Mr Morgan continued:

“Following our experiences in the polling stations on 3 May, I see no reason why bringing ID to vote cannot be embedded in our democratic process and have already expressed my desire to the Cabinet Office that Woking continues to participate in any future trials.”

We have heard some good speeches on both sides of this debate, but I remind those who seem to have set their face against voter ID for local and parliamentary elections that only a handful of votes can be crucial. In one of the 10 wards up for election in Woking this summer, one of the candidates won by just 10 votes and another by just 16 votes. Indeed, in recent years in Woking we have had single-figure majorities in different wards.

Chris Green: Given the numerous different ways to determine a draw, whether tossing a coin, drawing a straw or pulling a card, would it not be advantageous in the event of a dead heat in an election for voters to know that every one of the votes cast had been genuine? The election may be for a town council, borough council or a Member of Parliament, and at a time of minority Governments, as we have now, that could determine the Government of the country.

Mr Lord: My hon. Friend makes a pertinent and important point. In the 2017 general election, as we all know, the constituency of North East Fife was won by the Scottish National party candidate by only two votes. Further parliamentary seats were won by fewer than 100 votes, such as Perth and North Perthsire with 21 votes, Newcastle-under-Lyme with 30 votes, Southampton, Itchen with 31 votes, Richmond with 45 votes, Crewe and Nantwich with 48 votes, Glasgow South West with 60 votes, Glasgow East with 75 votes and Arfon with 92 votes. A small number of votes can swing seats at a parliamentary election and therefore determine who are the Government of the day.

Jim McMahon: The percentage of people turned away in Woking was about 0.2%, but 45 million people voted in 2017, and if 0.2% had been turned away, that would be 90,000 people. Does the hon. Gentleman feel that that is proportionate?

Mr Lord: I would make two points in response to that. First, one should not necessarily accept that all those who were refused the right to vote were genuine voters. Everyone received several reminders about voter ID and had the opportunity, if without the right ID, to get a local elector card. It is important to note that people must come to the polling station with the correct ID, as they do in Northern Ireland. Woking went out of its way to publicise that. This was effectively the first time ever that people were asked to present voter ID at the polling station, and personally I think that the number of refusals was remarkably small. For a pilot area, a one-off, I do not think that anyone would expect anything else.

Furthermore, as I have said already, the turnout increased by comparison with the most equivalent elections. If we extrapolate from that, that is hundreds of thousands of voters across the nation in a general election.

Jim McMahon: I do not want to explore this cyclical argument too much, but let us say that we learn from this experience and voters become used to it, so that instead of 0.2% the figure falls to 0.1%. Does the hon. Gentleman believe, even so, that it is proportionate for 45,000 people to potentially be excluded, when only 28 allegations of voter fraud were made in the last general election?

Sir Christopher Chope (in the Chair): Order. Before we hear the answer to that intervention, I must say that we shall start the wind-ups at 10 minutes past 5, and I would very much like to get another speaker in.

Mr Lord: Of course, Sir Christopher. In response to the intervention, I would say a couple of things. First, the hon. Member for Lewisham West and Penge (Ellie Reeves) said when introducing the debate that none of the pilot areas had a history of voter fraud. I am afraid that that is not the case in Woking: there is a history of voter fraud, in one ward in particular. When Opposition Members talk about the very few accusations of and convictions for personation, that is a vast underestimate of the potential level of fraud.
Anecdotally, I am afraid to say, where postal voter fraud has happened in the past, lots of personation was almost certainly going on as well. I have heard horror stories from various parts of the country, including Woking, because personation is so easy. All that is needed is to know that someone is going on holiday, and anyone of the right sex can simply turn up at the polling station giving that name and address. That is all that is required, so in a marginal ward with a history of voter fraud, it is ridiculous to suggest that personation has not been taking place. Furthermore, we know from our history that personation in Northern Ireland did take place.

To sum up, it is well past time for us to have voter ID for our British elections. It has worked in Northern Ireland and worked remarkably well in our pilot areas, and I urge the Minister and the House to adopt it expeditiously.

5.7 pm

Jim Shannon (Strangford) (DUP): I congratulate the hon. Member for Lewisham West and Penge (Ellie Reeves) on securing this debate, but I have to state clearly that I cannot support her point of view. I shall speak from a Northern Ireland perspective and explain in a short time—a very short time, as it turns out—exactly what we have done.

The Chief Electoral Officer for Northern Ireland is the returning officer and has responsibility for electoral registration, compiling the electoral roll and managing all elections in Northern Ireland. By and large, that has worked pretty well. Before the Electoral Fraud (Northern Ireland) Act 2002, the head of household was required to register all residents who were eligible to vote. The 2002 Act changed the registration procedure, introducing individual electoral registration and requiring eligible voters to provide the Office of the Chief Electoral Officer for Northern Ireland with their signature, date of birth, national insurance number and current residence. The Act also required voters to present photographic identity.

Many people in Northern Ireland therefore acquired an ID card, first, for purposes of electoral identification and, secondly, because when travelling from Northern Ireland to the mainland, photographic evidence has to be provided. The ID card was a method of doing so. People could get an ID card for the price of two photographs, whereas applying for a passport cost £68, or £40 for an Irish passport. That was how it was done, so people saved money.

Over the years, we have encouraged our constituents to apply for ID cards, and many have done just that. ID cards were introduced to counter a lack of public confidence in the electoral process in Northern Ireland. By and large, the Act changed that. There are still some issues with proxy and postal votes, but those can be looked at and changes made. A voter ID card scheme is one that I would support fully.

I will give a quick example of where frustrations can arise. My parliamentary aide’s sister came into my office one election to say that she had moved house. Having completed the sale on the day that registration closed, she thought her vote would stay with the house, but the person who bought it registered there and she lost her vote. That is an example of where people need to be sharp. By the way, that was not illegal—it was the system running as it should, and there is nothing wrong with that. The fact that I may have lost two votes is only part of it; the rules were being enforced.

I will conclude, Sir Christopher, because you have been clear on your timescales. There must be reform here on the mainland and there must be further reform in Northern Ireland to address proxy votes and postal votes. It is essential that we encourage more people to get on the register and use their vote, but also that we are as confident as possible that the vote returned reflects the will of the electorate and is not a result of fraud or scamming. That is what we need to do, and I would encourage the Minister to do that in England as well. Let us do it everywhere, right now.

5.11 pm

Tommy Sheppard (Edinburgh East) (SNP): We have a real problem in this country with democratic participation and engagement. At the last general election, 14.6 million people who were registered and entitled to vote did not do so. In all parts of the country, at every local election we do not have a majority of those who are entitled to vote taking part in the election. In other words, our democracy hangs by these very shoogly nails, and we all ought to be extremely concerned about the situation. It therefore bewilders me that in the midst of all the things we need to do, the Government are committing so much concern and energy to this particular issue, which as far I can see has not been demonstrated to be a problem at all.

As others have said, we are talking about 28 alleged cases of personation last year—one case for every 1.6 million people who voted.

Mr Lord: With the hon. Gentleman give way?

Tommy Sheppard: I am afraid I do not have time.

That seems to be a problem so marginal as not to require Government attention. We also know that the public are not concerned: a survey released today by the Electoral Reform Society showed electoral fraud at the very bottom of a list of potential concerns the public have about the voting system.

Dr Poulter: With the hon. Gentleman give way?

Tommy Sheppard: I am sorry, but I will not take interventions because we are short on time.

Unlike in Northern Ireland, where there was a serious problem, the instances alleged appear to be sporadic and individual rather than as a result of any organised campaign to scam an election—I have yet to see any evidence that the latter is the case. Given that, why are the Government so concerned and being egged on by some members of the governing party, for whom this seems to have become something of an obsession? Indeed, I note that someone recently put in a freedom of information request to the Human Tissue Authority, which regulates dead bodies, to ask what information it has about electoral fraud, as if we are looking at zombie voters coming to influence the situation.
As the evidence is not there that this is a huge problem that needs to be tackled, there is a case in what the Opposition are saying. In fact, the motivation is party political, with people seeking a party advantage. It is the case, is it not, that photo identification is less likely to be held by people who are unemployed, people who earn low incomes, black and minority ethnic groups, people with disabilities and migrant communities? All of those people have one thing in common: they are less likely to vote for the Conservative party. It seems to me that, as the hon. Member for Woking (Mr Lord) said, potentially very few votes influence the outcome of an election, if photo ID achieves the suppression of participation by voters in those categories—

Chris Green: Will the hon. Gentleman give way?

Tommy Sheppard: I am sorry, but I have only 60 seconds left.

There is a severe problem here. We need to look seriously at the results of the pilot. I would like the Minister to respond. It will not be good enough if all the Electoral Commission does is speak to the returning officers in those five areas and finds out who voted and who was turned away; we need to know much more than that. We need the breakdown of who was turned away and what their characteristics are, to see whether there are any particular trends. More importantly, we need to know not just who was turned away but who never turned up in the first place. People have suggested that there was no effect on turnout, but surely that was in part because there was a publicity campaign in those five areas, so people will have known that if they did not have photo ID, there probably was not much point in going to the polling station. Clear scientific research needs to be undertaken to find out whether that was the case before there is a further roll-out.

I plead with the Cabinet Office and the Minister to understand that there are much greater priorities in improving our electoral system than this. It is surely time, in the 21st century, that 16 and 17-year-olds should be able to vote. It is surely time to have automatic registration. And it is surely time that we piloted online voting, where there would be absolute security in who votes and absolute guarantees against personation and fraud.

5.15 pm

Laura Smith (Crewe and Nantwich) (Lab): I congratulate my hon. Friend the Member for Lewisham West and Penge (Ellie Reeves) on securing the debate. I very much echo the concerns she raised.

It is deeply concerning that voters, some of whom have voted their entire lives, were denied a voice in last month’s local elections as a direct result of discriminatory policies introduced by this Government. The Government present voter identification as a solution to tackle the specific issue of voter impersonation in polling stations. Electoral fraud is a serious crime and every allegation must be investigated fully. Indeed, isolated incidents of electoral fraud have taken place and it is vital that the police have the resources they need to prosecute.

However, the proposals outlined by the Government are clearly disproportionate. In 2017 there were 28 allegations of impersonation out of nearly 45 million votes cast—one case for every 1.6 million votes cast. Of those 28 allegations, one case resulted in a conviction. None of the five English boroughs that took part in the pilots has experienced a single instance of impersonation in the past decade. The scale of electoral fraud in this country has caused many, including Dr Stuart Wilks-Heeg, head of politics at the University of Liverpool, to describe voter ID as “a solution in search of a problem”.

Chris Green: Will the hon. Lady give way?

Laura Smith: I have no time.

I would also be interested to hear the Minister’s response to today’s intervention by Blackstone Chambers. According to Anthony Peto QC, the joint head of Blackstone, and fellow barrister Natasha Simonsen, schemes “that restrict or discourage voting, or that inhibit voters,”
are beyond the scope of the Representation of the People Act 2000. Those leading barristers concluded that the pilots were illegal because they were incorrectly imposed by ministerial dictat rather than through Parliament. The Conservative party appears to have completely disregarded the rule of law. Does the Minister agree that, following that intervention, it is impossible for her Government to justify their undemocratic and unlawful plans?

The Windrush scandal demonstrated that it can be difficult for some communities to provide official documentation. This is the same hostile environment all over again, and it is shutting our fellow citizens out of public life. The Government were also warned by the Equality and Human Rights Commission and more than 40 leading charities and academics in two separate interventions that voter ID requirements have a disproportionate impact on ethnic minority communities, older people, trans people and people with disabilities.

I have to start winding up, because I am running out of time.

Sir Christopher Chope (in the Chair): You have run out of time.

Laura Smith: I will wind up really quickly.

Does the Minister seriously believe that the Government are making voting accessible for everyone? The Labour party believes in a democracy for the many, not the few. We want everyone’s voice to be heard, no matter what their background, which is why we call on the Government to abandon their dangerous plans.

5.21 pm

The Parliamentary Secretary, Cabinet Office (Chloe Smith): May I first thank the hon. Member for Lewisham West and Penge (Ellie Reeves) for requesting the debate, and everyone who has taken part in it?

Haven’t we heard some big words from Opposition Members? We have heard “disenfranchised,” “discriminatory” and “voter suppression” bandied about. Last time I looked in the dictionary, disenfranchisement meant not having the right to vote. We have one of the largest electoral registers this country has ever seen. Having every opportunity to cast a vote, with carefully designed safeguards and a safety net, is not disenfranchisement; it is not voter suppression and it is not discriminatory. Let me get that out of the way at the start.

The success of the pilots highlights that a reasonable and proportionate measure was taken. Voter turnout remained steady in all the trial areas—indeed, in one area there was a notable increase. The overwhelming majority of people cast their vote without a problem. I pay credit to the returning officers in the pilot areas, who were undeterred by some ill-informed and regrettable scaremongering in the run-up to polling day. They delivered successful awareness-raising campaigns to ensure that voters knew the requirements in their area. It is of course returning officers’ duty to ensure that registers are as accurate and complete as possible, and it is absolutely their duty—and it is in everyone’s interest—to get people on the register and get them out to vote.

While I am on the subject of legal duties, let me answer a point made by the hon. Members for Oldham West and Royton (Jim McMahon) and for Crewe and Nantwich (Laura Smith). The powers to make such pilot schemes are contained in section 10 of the Representation of the People Act 2000. The hon. Gentleman, perhaps mistakenly, suggested that no Act defined such a scheme. That is simply wrong; it is in the Representation of the People Act, which enables changes to be made to the rules regarding the conduct of elections. That Act was of course fully debated and passed by Parliament.

As we have heard, the estimates by the Electoral Reform Society, which is a political lobby group, of the number of people who were turned away from polling stations were wildly exaggerated. I really wonder why the hon. Members should trust the survey that the society published today when the facts so clearly speak against its record. Data from returning officers in all five participating local authorities show that 340 electors who were asked to return to the polling station with the correct ID did not return. That represents just 0.06% of the electorate and 0.14% of votes cast. I have of course put those data in the Library.

The experience in Northern Ireland, where paper ID has been required since 1985, and photo ID since 2003, shows that once that requirement has become established, voters find it easy to be part of that reasonable idea. Indeed, the responsible Minister at the time—a Labour Minister—was clear that no one would be disenfranchised by those measures.

Despite repeated claims by the Opposition, many of the people I spoke to about the pilots before the elections, as others will have done, thought they were a common-sense approach. Some—particularly people from Austria, Canada, the Netherlands and the many other countries where showing ID is a normal part of the voting process—were surprised that we did not already need to take ID to the polling station. It is clear to me that people value their vote individually and want collective confidence, which is what the scheme is about.

I read what the hon. Member for Lewisham West and Penge wrote in some recent articles about electoral fraud, and about voter ID in particular. I am shocked that she does not seem to think that electoral fraud of this type could influence elections. Do those stolen votes not count? Do they not undermine confidence in the very process that puts us in this place and gives us the privilege of being here? Does not any type of electoral fraud threaten the resilience and integrity of a democratic system and the confidence that people have in it? What level of fraud would be palatable? How many voters is it okay to silence and have robbed of their vote? Electoral fraud is real. By definition, it is difficult to detect if it is done effectively.

Jim McMahon: Will the Minister give way on that point?

Chloe Smith: I will not. I have to conclude, and the hon. Gentleman and others have had their chance to contribute.

Voter ID is of course just one element of efforts, which I hope command cross-party support, to protect and sustain the electoral system, which should be precious to us all. I thank the hon. Member for Poplar and
Limehouse (Jim Fitzpatrick) for coming along to express his support for voter ID. Indeed, he explained that he would go further and do more to protect the voting system. That is why we at the Cabinet Office, in partnership with the independent Electoral Commission and Crimestoppers, are working to ensure that people feel encouraged to report electoral fraud if they see it. I marvel at how the rest of the Labour party cannot bring themselves to support such efforts.

At the moment, it is easier to vote in someone else’s name than to collect a parcel at the post office, so doing nothing would be wrong. We cannot allow a crime to happen until it reaches a certain level. It is doubly unfortunate that the Labour party continues its scaremongering, especially given that the previous Labour Government introduced photo ID at polling stations across Northern Ireland in 2003. Although today’s Labour party might not think doing that is an acceptable step to protect our voting system, constituency Labour parties think it is good enough for them, as they routinely insist on ID. Doing one thing and saying another seems unprincipled to me. On top of that, Opposition Members came here to quibble about the numbers. This is not about statistics; it is about the principle. Why do they disagree with the principle of tackling electoral fraud?

Electoral fraud is not a victimless crime. The Electoral Commission stated in its 2013 review:

“The majority of people in communities affected by electoral fraud are victims rather than offenders. The people who are likely to be the victims of electoral fraud can be described as vulnerable.”

In his report on electoral fraud, Sir Eric Pickles explained clearly that it was

“local residents who lost out from the crooked politicians who bullied them and wasted their money. The law must be applied equally and fairly to everyone.”

I remain committed to ensuring that equality is integral to everything we do in elections policy. I met the EHRC earlier today, and we share common ground on ensuring that whatever we do has the rights of electors and the fairness, equality and inclusivity of our electoral system at its heart.

The hon. Member for Lewisham West and Penge made repeated reference to photographic ID. I think she knows that was not helpful. That is not what the pilots required. Let me put on the record that no one needed to purchase ID documents to be able to vote in the pilots. Local authorities provided alternative methods free of charge, to ensure that everyone who was registered had the opportunity to vote.

The Government will reflect on the voter ID evaluation that the Electoral Commission publishes in July. The hon. Member for Edinburgh East (Tommy Sheppard) will find that the Electoral Commission has published the list of the data that it will use in that evaluation. We will use that as an opportunity to review, among other things, how the awareness-raising campaigns operated and what could be improved.

I say again to the hon. Member for Lewisham West and Penge that I am grateful to her for bringing forward the points she made and for staying in touch with residents in one of the important pilot areas, but her arguments are not convincing. This really is a simple matter of principle: do we or do we not believe in stamping out electoral fraud? I do.

Sir Christopher Chope (in the Chair): Ellie Reeves, you have 10 seconds if you want them.

5.29 pm

Ellie Reeves: I thank everyone who took part in the debate. Let me point out a couple of things: 7.5% of the electorate do not have any form of photo ID, and a system that left 154 people in Bromley unable to vote is a clear example of disenfranchisement.

5.30 pm

Motion lapsed, and sitting adjourned without Question put (Standing Order No. 10(14)).
Westminster Hall

Thursday 7 June 2018

[SIR DAVID AMESS in the Chair]

Airports National Policy Statement

1.30 pm

Lilian Greenwood (Nottingham South) (Lab): I beg to move,

That this House has considered the Third Report of the Transport Committee, Airports National Policy Statement, HC 548.

It is always a pleasure to serve under your chairmanship, Sir David. I begin by thanking the other members of the Select Committee on Transport for their work in quite a long and involved inquiry. I am very pleased to see my hon. Friends the Members for Plymouth, Sutton and Devonport (Luke Pollard) and for Cambridge (Daniel Zeichner) here today.

If deciding to build an additional runway at Heathrow airport was easy, it would have been done long before now. It is not, which is why successive Governments, over decades, have dodged and deferred the decision. One reason why the issue is so difficult is that it will affect the lives of many thousands of people—those living in the communities close to the airport, those who work at the airport, and passengers and businesses that rely on the connections that it provides. Our report and much of the debate about the decision focus on the big picture, the economic growth that a new runway will facilitate, the billions of pounds of investment required to build it, the jobs and apprenticeships created and the number of households affected by new noise or air pollution. It is right that we recognise the importance of the decision for the whole of the UK. For Britain to succeed, improved connectivity, both outside our islands and around them, is key.

However, we should also recognise that this is about individuals, be they the family whose house would be demolished to make way for the new runway, the passenger who wants an affordable flight to visit their family abroad or the small business owner who needs to get their goods to markets around the globe. Our decision will change their lives. We must be mindful of the consequences and, where there are adverse impacts, as we know there will be, we must do all we can to mitigate or compensate for them.

Let me explain the process and the Select Committee’s approach to our role in it. The airports national policy statement is Parliament’s opportunity to vote on the Government’s policy to provide additional runway capacity in south-east England through the construction of a north-west runway at Heathrow airport. If approved, the final airports NPS provides the framework and criteria against which a development consent application will be judged.

The airports NPS is different from other transport-related national policy statements considered by our predecessors. It not only identifies a specific site but details a specific scheme. It applies only to a north-west runway at Heathrow airport; it is not applicable to any other scheme to build an additional runway. If for any reason that scheme fails, through legal or financial difficulties, no other scheme—not even an alternative design on the site at Heathrow airport—can easily fill the void under this NPS.

Under the Planning Act 2008, our Committee was designated to carry out parliamentary scrutiny of the Government’s proposal. We did not try to put ourselves in the Government’s shoes and consider whether we would have chosen the same option; rather, we scrutinised the decision that they had made. It could be said that we marked their homework. In conducting our inquiry, we had four overarching objectives: to ensure that the Government had adequately explained their case for runway expansion and for choosing the north-west runway scheme at Heathrow; to ensure that the evidence supporting the NPS was robust and was accurately reflected in the final document; to ensure that the conditions of approval in the NPS provided enough safeguards for affected communities and passengers; and to ensure that any risks of a successful legal challenge were minimised.

The Government outlined their case for additional runway capacity in south-east England in chapter 2 of the NPS, and we broadly agreed with the Government’s position. Heathrow airport is already full, and other London airports are operating at capacity during peak times. All major airports in south-east England are expected to be full by the mid-2030s, with four out of five full by the mid-2020s. Doing nothing has consequences. If we fail to tackle the demand for extra runway capacity, that will result in less choice, more disruption and higher airfares for passengers. The UK’s competitiveness may already have been damaged as other European hub airports have expanded their global networks. Capacity constraints do not impact just on passengers; trade opportunities through air freight may be forgone, and inward investment may be diverted to other European countries with better connectivity.

The Government outlined their case for additional runway capacity at Heathrow through a north-west runway in chapter 3 of the NPS. Maintaining the UK’s hub status in Europe is the Government’s overriding objective in developing their preference. Heathrow is the UK’s only hub airport and it is one of Europe’s leading hubs. Some 78 million passengers travelled through Heathrow last year. It is unrivalled in the UK for density of airlines, connections and transfer passengers. Heathrow is the UK’s only hub airport and it is one of Europe’s leading hubs. Some 78 million passengers travelled through Heathrow last year. It is unrivalled in the UK for density of airlines, connections and transfer passengers. Heathrow is the UK’s only hub airport and it is one of Europe’s leading hubs. Some 78 million passengers travelled through Heathrow last year. It is unrivalled in the UK for density of airlines, connections and transfer passengers. Heathrow is the UK’s only hub airport and it is one of Europe’s leading hubs. Some 78 million passengers travelled through Heathrow last year. It is unrivalled in the UK for density of airlines, connections and transfer passengers. Heathrow is the UK’s only hub airport and it is one of Europe’s leading hubs. Some 78 million passengers travelled through Heathrow last year. It is unrivalled in the UK for density of airlines, connections and transfer passengers. Heathrow is the UK’s only hub airport and it is one of Europe’s leading hubs. Some 78 million passengers travelled through Heathrow last year. It is unrivalled in the UK for density of airlines, connections and transfer passengers. Heathrow is the UK’s only hub airport and it is one of Europe’s leading hubs. Some 78 million passengers travelled through Heathrow last year. It is unrivalled in the UK for density of airlines, connections and transfer passengers. Heathrow is the UK’s only hub airport and it is one of Europe’s leading hubs. Some 78 million passengers travelled through Heathrow last year. It is unrivalled in the UK for density of airlines, connections and transfer passengers. Heathrow is the UK’s only hub airport and it is one of Europe’s leading hubs. Some 78 million passengers travelled through Heathrow last year. It is unrivalled in the UK for density of airlines, connections and transfer passengers. Heathrow is the UK’s only hub airport and it is one of Europe’s leading hubs. Some 78 million passengers travelled through Heathrow last year. It is unrivalled in the UK for density of airlines, connections and transfer passengers. Heathrow is the UK’s only hub airport and it is one of Europe’s leading hubs. Some 78 million passengers travelled through Heathrow last year. It is unrivalled in the UK for density of airlines, connections and transfer passengers. Heathrow is the UK’s only hub airport and it is one of Europe’s leading hubs. Some 78 million passengers travelled through Heathrow last year. It is unrivalled in the UK for density of airlines, connections and transfer passengers. Heathrow is the UK’s only hub airport and it is one of Europe’s leading hubs. Some 78 million passengers travelled through Heathrow last year. It is unrivalled in the UK for density of airlines, connections and transfer passengers. Heathrow is the UK’s only hub airport and it is one of Europe’s leading hubs. Some 78 million passengers travelled through Heathrow last year. It is unrivalled in the UK for density of airlines, connections and transfer passengers. Heathrow is the UK’s only hub airport and it is one of Europe’s leading hubs. Some 78 million passengers travelled through Heathrow last year. It is unrivall...
Those are the arguments that have persuaded many businesses and many of our constituents across the country that Heathrow expansion is needed, and that have led our Committee both to conclude that the Government are right to pursue development at Heathrow and to accept the arguments that they have made in favour of their preferred scheme.

We recommended that the planning process moved to the next stage by approving the airports NPS, provided—this is important—that the concerns identified in our report were addressed by the Government in the final NPS that they laid before Parliament. Our conclusion could be described as “Yes, but”. My contribution today will spend more time on the “but” than the “yes”, primarily because I am conscious that few colleagues will have escaped Heathrow’s very effective campaign setting out the benefits of expansion. Anyone who walked through the tube station here at Westminster will have seen posters showing some of the arguments.

**Justine Greening** (Putney) (Con): The hon. Lady is making an important point. Of course, all those Heathrow teams will be getting massive bonuses personally if they are able to persuade this place to vote for the NPS.

**Lilian Greenwood**: I cannot comment on the pay and benefits for staff who work at Heathrow. Undoubtedly, both Heathrow and Gatwick airport have sought to influence the decision made by hon. Members here today. The Select Committee’s role is important in ensuring that people have independent and objective information that enables them to make a decision.

**Andy Slaughter** (Hammersmith) (Lab): My hon. Friend is making a good case, and I look forward to hearing the “but”. It is correct that for a brief moment Gatwick was in the frame, but for many years before that, Gatwick was simply a satellite of Heathrow and controlled and silenced by it. Now that the Government have been so partial and so partisan, again the only name in the frame is Heathrow, so my hon. Friend is making exactly the right point, which is that Heathrow is the dominant voice, but does she agree that it is perhaps much more so than she has said so far?

**Lilian Greenwood**: I think Heathrow is the dominant voice, but in part that is because it is our only hub airport. Many of the arguments that the Government have put forward are predicated on the importance of that hub status, although I will address some of the other points, which I am sure my hon. Friend will want to hear.

Right hon. and hon. Members will have seen the Department for Transport’s latest summary, which rehearses some of these arguments with some very nice graphics, so I need not say more about it than that. Our inquiry sought to get into the detail of the scheme and how valid concerns about the Government’s approach might be addressed in a final NPS before Parliament was asked to approve it. I confess that when we sought this debate, we did not anticipate that the Government would have already laid their final version of the airports NPS, which happened two days ago. I commend them for their speedy actions. I welcome the Secretary of State’s remarks in the Chamber on Tuesday in which he thanked the Committee for the scrutiny we completed. I also recognised the shadow Secretary of State’s acknowledgement that we “left no stone unturned” in our report.

Conducting detailed scrutiny is absolutely critical, and I am immensely proud of the detailed work that our Committee completed within the time available. The Heathrow plans have been more than 20 years in the making. The implications of Parliament’s decision will last even longer. It is important that we get this right.

**Ruth Cadbury** (Brentford and Isleworth) (Lab): I thank my hon. Friend and her colleagues on the Transport Committee for their work. Given the depth and rigour that her Committee went into on the detailed elements of the case, does she agree that the Secretary of State has come up with a remarkably brief response in a very short time and could not possibly have had the time to answer all the detailed questions that her Committee’s report quite rightly put?

**Lilian Greenwood**: The Secretary of State responded within approximately two months to our report. We are looking at the detail of the final report and what has made its way into the final NPS.

**Mr Tanmanjeet Singh Dhesi** (Slough) (Lab): For many of us who are still to decide which side of the argument to take, the devil will be in the detail. Does my hon. Friend agree that those who are impacted the most should be the ones compensated the most in terms of the mitigation? I allude in particular to my Slough constituency, where the third runway will be built. The mitigation, in terms not only of air and noise but of training and skills colleges, and other logistics and jobs facilities, should be sited more in Slough than in other constituencies.

**Lilian Greenwood**: My hon. Friend is a great advocate for his constituency and rightly so. It is important that, if the proposal goes ahead, the impact on local communities is carefully considered. I am also mindful, however, that this scheme is intended to benefit the whole of the UK. It is vital that, if it goes ahead, the whole of the UK is seen to benefit, including from the opportunities for jobs and apprenticeships that it would bring.

**Zac Goldsmith** (Richmond Park) (Con): I also pay serious tribute to the hon. Lady for having conducted the first proper scrutiny by her Select Committee into the Heathrow case. As we saw, as that scrutiny was applied, the Heathrow case evaporated. A number of people on the Committee who began in favour of Heathrow expansion are now implacably opposed to it, because of the scrutiny that she applied as Chair of that Committee. I am grateful to her for doing that. Was there a single independent voice to give evidence—other than Heathrow—who believed that it is possible to reconcile Heathrow expansion with air quality limits, which we are legally obliged to adhere to?

**Lilian Greenwood**: The hon. Gentleman is requiring me to remember all the evidence we heard over many months from many voices. Air quality is undoubtedly one of the key challenges that the Government face in
Daniel Zeichner (Cambridge) (Lab): Will my hon. Friend give way on that point?

Lilian Greenwood: I will have to continue at some point, but yes.

Daniel Zeichner: The element of risk in this whole process is an important point. The Committee identified many risks. In the event of a delay or the project not going forward, would it not make sense for the Government to consider using alternative provision where there is capacity at other airports, such as Gatwick and Stansted? There is a real risk with this project and we cannot end up in a situation in which nothing happens.

Lilian Greenwood: My hon. Friend made a fantastic contribution to the work of the Committee in developing this report. He is right. There are two issues in relation to his point. First, the NPS is scheme-specific, so if for any reason it does not go ahead, that limits the Government’s options. Having said that, even if it does go ahead in the best possible scenario, it would not be open until 2026. That is why one of our recommendations—I will come to this later—is about the better use we make of all our regional airports and what needs to be put in place.

We welcome the overall tone of the Government’s response to our report, which was published on Tuesday. It is clear that they have, in principle, taken on board much of our report and clearly acknowledged what we were trying to achieve. The Committee still needs to do more detailed analysis of the Government’s response—we want to be sure that the substance matches the rhetoric. I do not believe that accepting our recommendations in principle is enough. Hon. Members need to decide whether we can just rely on the planning process to provide these necessary safeguards and guarantees, to protect communities and passengers. The parliamentary approval stage of the planning process is designed specifically to set the criteria for approval. It should then be up to Heathrow to meet those requirements.

I want to take this opportunity to explain why the Committee made our recommendations. First, we wanted to ensure that the supporting evidence was robust and accurately reflected in the NPS. We wanted to ensure that MPs are well informed. It is impossible to know with absolute certainty what the exact impacts of this scheme will be but, given the political gravity of the issue, we wanted to ensure that MPs were fully informed of the potential scale of costs and benefits.

Although we accepted the Government’s high-level arguments in favour of their preferred scheme, our investigations revealed that the north-west runway’s advantage over the other schemes considered was not perhaps as wide as was set out. In some cases, the comparative advantage to not expanding at all was small. The strategic case for the north-west runway rests primarily on it delivering more routes to a greater number of destinations, and at greater frequencies, than the other schemes. Our detailed analysis of the Department for Transport’s forecasts revealed that the future passenger growth, destination and route offering at the UK level is broadly similar over the longer term, compared with the other schemes. Most of the passenger growth generated from the north-west runway scheme will be accounted for by outbound leisure passengers and transfer passengers, who offer fewer direct economic benefits to the UK economy. The Government’s own forecasts show that business passenger growth is negligible compared with no expansion.

The anticipated growth in connections to Heathrow is a key reason why the north-west runway scheme has garnered considerable support from regions away from London and the south-east, but there is a concern that the Government do not have the policy levers to guarantee that a proportion of the new slots created will be allocated to domestic routes into Heathrow. Given the costs currently anticipated for the north-west runway scheme, there is a possibility that domestic routes from Heathrow would not be commercially viable. It should also be acknowledged that an expanded Heathrow would abstract growth from non-London regions, with over 160,000 fewer direct international flights each year compared with a no-expansion scenario. This is a nationally significant infrastructure project. It must work for the whole nation and not just for London.

Justine Greening: Is the hon. Lady’s point that allowing Heathrow to expand will mean fewer flights for airports outside of the south-east?

Lilian Greenwood: Our analysis shows that there would be fewer direct international flights from other airports if Heathrow expansion goes ahead, because there is a clear demand from airlines for slots at Heathrow—a demand that cannot be met because it is currently operating at capacity.

The benefits and costs in the economic case for the north-west runway are finely balanced, and we uncovered some shortcomings in the way the Department for Transport had completed its analysis. Although there are wider economic benefits that are not captured as part of the case, there are also environmental and social costs that are not monetised.

More significantly, the case rests on the scheme being delivered by 2026, and at capacity by 2028. We heard evidence of factors that might prevent delivery of the scheme. We also heard that the Department’s assumption that capacity would be filled within two years of opening was implausible and inconsistent with Heathrow’s own plans. In the Minister’s reply, I would be grateful if he confirmed whether the Government updated the airport’s NPS to reflect the relatively small difference in strategic and economic benefits of the schemes considered, and whether they have fully corrected the shortcomings we identified in how they completed their appraisal.

According to the Government’s analysis, the financial and delivery risks of the north-west runway are the highest of the schemes considered. One of the main delivery risks that our inquiry identified was airspace change. The airspace change required to facilitate the north-west runway is significant, and although it may be deliverable from a technical or safety point of view, the reality is that such change has proved extremely difficult to implement because of its impact on populations beneath routes.
[Lilian Greenwood]

The Civil Aviation Authority is of the view that more substantive reform is required if the change needed to accompany the north-west runway can be delivered in full. We therefore recommended that the Government outline their intended policy approach to delivering airspace change for their preferred scheme as a priority. Is the Minister confident that the airspace change required for the scheme can be delivered in full? What specific reforms do the Government intend to implement to ensure that occurs?

The environmental and community impacts of the north-west runway are by far the greatest of the schemes considered. Our Committee was concerned that the numbers presented by the Government in the draft NPS and the supporting documents did not present the full picture of those possible impacts. Arguably, the future noise impacts present the greatest area of uncertainty for the scheme. Although modern planes are undoubtedly quieter, noise is a key concern for communities, and high exposure to noise can have a serious impact on people’s health.

The Department’s approach to presenting noise exposure nets out the winners and losers from noise changes, but the reality is that community acceptability is more often shaped by the losers who experience new or increased noise. The evidence shows that more than 300,000 people could be newly affected by significant noise annoyance from an expanded Heathrow.

The analysis presented also uses a higher threshold for noise annoyance than is consistent with the Department’s guidance. Using the lower threshold takes the total number of people in the noise annoyance footprint to more than 1.15 million. Our investigation found that the Department’s estimates are likely to be towards the lower end of the scale of potential impacts, and called for greater clarity in presentation.

Noise has real effects on people’s daily lives. It is essential that MPs are fully informed about the scale of the impacts from the scheme when reaching their decisions. I would be grateful if the Minister could explain why the Department has not included those numbers in the latest iteration of its sustainability appraisal.

During our inquiry, a great deal of attention focused on the surface access needs of the airport now and in the future. We commend the Government for expressing policy support for the southern and western rail access, as per recommendation seven in our report. Those schemes are important to achieve modal shift for the two-runway airport and are critical if the north-west runway scheme is to be delivered without having a perverse knock-on effect on other parts of the surface access network.

However, the eventual impact of a north-west runway on road congestion and rail capacity is still highly uncertain, because no comprehensive surface access assessment was published alongside the draft NPS to understand what it would be. We welcome the Government’s publication of figures on the impact that an expanded Heathrow would have in terms of the number of cars on the road, although they have still not published a full assessment. Those figures show that by 2030, if unmitigated, there will be a 33% increase in the number of vehicles on the road with a new runway. Can the Minister explain what surface access schemes are included when modelling those figures, and whether the Department has assessed the surface access schemes that are required to ensure that there will be no more cars on the road, as pledged by Heathrow airport?

Mr Dhesi: My hon. Friend makes an excellent point. Does she agree that the Minister needs to acknowledge that the western rail link to Heathrow is not incumbent on whether we have a third runway? That scheme needs to happen forthwith regardless. More than 20% of the UK population will be within one interchange of our busiest airport. The Government committed to the scheme six years ago, but it has still not seen the light of day. It is imperative, and I hope that she and the Minister will confirm that.

Lilian Greenwood: My hon. Friend has been a real campaigner for western rail access, and he was well represented on the Committee by other hon. Members who share that view, including my hon. Friend the Member for Plymouth, Sutton and Devonport.

Our Committee also called for the sections of the draft NPS that deal with air quality to be revised before the final NPS was tabled. The air quality impact on nearby populations had been estimated only within the immediate 2 km vicinity of Heathrow airport, and had not been updated since 2015. The population impact assessments still do not appear to be updated in the final version of the NPS, and I would be grateful if the Minister could explain why.

It will be for hon. Members to judge whether the balance of potential benefits and costs of the proposed north-west runway is sufficient to approve the NPS. If they are to make an informed judgment, they need the full suite of facts to be on the table. That is why we recommended that the Government comprehensively update the evidence base and the final version of the NPS to accurately reflect the balance of evidence.

We also wanted to ensure that the conditions of approval in the NPS provided enough safeguards for the environment and for affected communities. Air quality was recently described by four Select Committees as a “national health emergency”. It is therefore vital to demonstrate that airport expansion is compatible with tackling that emergency. The NPS states that the north-west runway scheme will be legally compliant on opening, but it does not say that the UK’s legal air quality obligations are at a high risk of being breached between 2026 and 2029.

Legal air quality compliance for the scheme rests on national air quality measures being implemented in full. Three consecutive successful legal challenges do not instil a great deal of confidence in the Government’s ability to deal with air quality effectively. We recommended that the Government adopt a more stringent interpretation of legal compliance in the NPS to protect against the inherent uncertainty of modelling future air quality compliance. Are the Government confident that their interpretation of air quality compliance will be the same as that of the courts, given that there will almost certainly be a judicial review?

On noise impacts, we recommended that the Government define an acceptable noise limit that reflects a maximum acceptable number of people newly exposed to noise due to the north-west runway scheme. The Government have not done so, and I hope the Minister will explain...
how he can be confident that the noise impacts of the scheme can be effectively mitigated without clear targets in place. What safeguards will there be for communities that are concerned about the potential scale of noise impacts?

Zac Goldsmith: Noise is a key issue for my local constituents. Does the hon. Lady share my concern that hundreds of thousands of people will be brought under the Heathrow noise footprint who have no idea that that will happen, because neither the Government nor Heathrow have been honest with the communities that will be affected? The flight paths have not been published and we have no idea who will be affected. We simply know that many hundreds of thousands of people will be affected and that they will not be given a chance to make their views known before the decision is taken. Does that not strike her as fundamentally immoral, unethical and wrong?

Lilian Greenwood: The hon. Gentleman is of course concerned about the impact on his constituents. I think that he is right, and the Committee identified that only one set of flight paths was used in the NPS. Of course it is important that people understand who might be affected and how they might be affected before we reach a decision. That was precisely why we asked for more evidence to be presented on the scale of noise impacts.

On surface access, we recommended that a condition be included in the NPS that ensures approval can be granted only if the target for no more airport-related traffic can be met. Heathrow has ambitious targets for modal shift, as it aims to increase the proportion of passengers and staff travelling to the airport by public transport. While there is a plan for significant investment in London’s transport network, whether that will be sufficient to cope with the extra demand remains uncertain. Without the condition recommended by our Committee, what incentive or enforcement mechanism will be in place to ensure that Heathrow meets its pledge?

Andy Slaughter: Unlike the Government, Transport for London has done a lot of work on this issue. The substantial improvements to public transport—Crossrail and the upgrade of the Piccadilly line—will be made to deal with additional pressures in London that are already priced in. Not only is there this huge bill for £10 billion to £15 billion that ultimately the public will have to pick up, but London is losing out by losing that additional capacity, and neither of those absolutely vital factors appear to have been taken into account by the Government; I hope that they have been by the Committee.

Lilian Greenwood: My hon. Friend is right that the Committee will look closely at what the surface access needs are. It is fair to say that in the evidence we have heard there was considerable disagreement between the Government and Heathrow Ltd, and Transport for London. However, it is clear that if additional investment is needed the airport would be required to make a contribution to cover the costs of those improvements that would impact on their passengers and workers.

Our support was premised on suitable mitigations being in place to offset impacts on local communities affected by noise, health and social impacts. Now is the time to set the criteria and the limits of environmental impacts that Parliament deems necessary for the scheme to go ahead. That will enable the planning directorate to do its job and ensure that Heathrow's detailed plans can be judged against the criteria set by Parliament.

Our Committee also wanted to ensure that the conditions of approval in the NPS provided enough safeguards for passengers. People will rightly say that this is a privately funded scheme, but investors expect a return on their capital. It is airlines and their passengers who will pay for that return and ultimately bear the financial risk of this scheme. The CAA has done some preliminary work on the scheme’s ability to be financed, but questions remain over whether it can be paid for without increasing charges for passengers. Heathrow is already the most expensive airport in the world, and the evidence we received suggests that if airport charges were to increase significantly the benefits of expansion would be diluted. Fewer passengers would use the airport and Heathrow’s competitiveness as a hub, particularly in comparison with its European counterparts, would be undermined.

The Secretary of State expressed his desire to keep charges flat, but desire is not enough; we recommend that it be translated into a firm condition of approval in the NPS. Every single airline that we heard from reiterated this view. The Government are relying on the CAA to meet their ambition to keep charges flat, but can the Minister give us confidence that that ambition will be achieved, given that history suggests that Heathrow’s charges have increased each time it has made a significant investment in infrastructure?

Our support was also premised on suitable measures being in place to guarantee benefits for regional passengers. There is a risk that domestic routes will be priced out of an expanded Heathrow and that the non-London regions and Scotland, Wales and Northern Ireland will be left with fewer direct connections from their own airports and potentially no new domestic slots into Heathrow. We recommended that the Government outline more clearly how they intend to secure 15% of new slots for domestic connections, including the policy levers they will use to achieve that target.

The Government have said that they believe most routes will be commercially viable and that public service obligations will be their main policy lever to secure domestic routes. Can the Minister explain how PSOs can be used to secure domestic slots, because I believe that they could be used only on a city-to-city basis, provided there is an overriding social need? What other mechanisms are available to secure slots for the regions and nations?

The final objective of our scrutiny was to ensure that any risks of a successful legal challenge were minimised. The north-west runway scheme can be legally challenged at two stages of the approvals process, the first of which is the immediate period after the NPS is designated by Parliament. A legal challenge can be mounted, not on the contents of the NPS document but on the way in which the consultation was conducted. We recommended that the evidence base be comprehensively updated and that its robustness be improved, to ensure that the consultation has been completed in a comprehensive manner and to avoid a successful legal challenge at the first hurdle. Is the Minister confident that he has done enough to address our concerns?

The scale of this project and the grounds upon which a legal challenge can be mounted suggest that there are still more hurdles for this scheme to overcome if it
obtains Parliamentary approval. Even in a best-case scenario, a scheme is not going to be delivered until 2026. It is therefore essential that we make best use of the UK’s existing airport capacity in the interim, and our Committee has recommended that the Government develop a strategy to do so. Can the Minister tell us whether the Government intend to develop and implement such a strategy, so that aviation growth can continue across the country while the Heathrow scheme is being developed?

In conclusion, the Committee’s support for the north-west runway was conditional on the concerns that we identified in our report being addressed by the Government in the final NPS laid before Parliament. The Committee has not yet had the opportunity to discuss whether we believe our conditions have been met. Ultimately, it is for every Member to form their own judgment on the Government’s proposal. I hope that our report has provided Members with a strong foundation upon which to make that judgment.

Several hon. Members rose—

Sir David Amess (in the Chair): Order. If colleagues could confine their remarks to about eight or nine minutes each, no one should feel short-changed at the end of our proceedings.

2.7 pm

Sir Roger Gale (North Thanet) (Con): Sir David, it is a particular pleasure to serve under your chairmanship this afternoon, on the eve of the 35th anniversary of our election to Parliament. It strikes me that we have been discussing this subject for most of those 35 years.

Sir David, you represent a constituency on one side of the Thames estuary and I represent a constituency on the other side. You and I are both fully aware of the discussions in the mists of time relating to Maplin Sands, and more recently those relating to Boris island. I think it is fair to say that we could probably agree, although I would not wish to drag you into the argument, that neither of those proposals was worth the back-end of the envelope that they were written on.

I am concerned about much of this matter. I pay huge tribute to the Chairman of the Select Committee, the hon. Member for Nottingham South (Lilian Greenwood), and indeed to her predecessor, the hon. Member for Liverpool, Riverside (Mrs Ellman). Together with their Committees, they have put an enormous amount of hard work into diligently scrutinising the proposals that we are considering this afternoon. I am extremely grateful to them for the work they have done, as I am sure all colleagues are.

This morning, colleagues who have opened their emails will have received a letter from Sir Howard Davies, the former chairman of the Airports Commission, and Sir John Armitt, a former commissioner at the Airports Commission and is now the Chair of the National Infrastructure Commission. In that letter, Sir Howard and Sir John say:

“The UK benefits from the third largest international aviation network in the world after the US and China; London has the largest origin and destination market of any city in the world; and Heathrow until 2013 served more international passengers than any other airport and even now is surpassed only by Dubai… the continuation of this success cannot be taken for granted, and the rise of Dubai is only one indicator of the risks that the UK faces. … As other hub airports in Europe and beyond continue to expand, the impression created is one of the UK being increasingly inward-facing and having limited ambition to expand its reach, even as it navigates the uncertainty caused by its impending departure from the European Union. Now should be the time to build on our strengths, not to diminish them, but preventing expansion at Heathrow would achieve only the latter.”

I am not remotely unsympathetic to the concerns expressed by colleagues representing seats in west and south London. My daughter has a home in Chiswick under the flightpath to Heathrow. I am a sufficiently infrequent overnight stayer not to have become acclimatised to the air traffic, so I understand what it means, and I also have considerable concern for the quality of the air that my six-year-old grandson, Soren, will breathe during the course of his young life.

That said, I support the proposals that the Government laid before the House on Tuesday, although two issues have to be addressed. Curiously, the Select Committee to some extent skated over them. The first issue is the timescale. Eight years seems wildly optimistic to me. I am not a betting man, but if I were, I would bet a gold sovereign that there will not be wheels on tarmac at any new runway at Heathrow inside 15 years. The other issue is freight, which was not mentioned to any degree in either the Secretary of State’s remarks on Tuesday or the Select Committee report. I will touch on both those points in the context of another airfield that is and should be available to us.

On Tuesday, the Secretary of State said that “a new operational runway at Heathrow is still a number of years away.” He says eight years; I have said 15. He continued: “The Airports Commission recommended that there would also be a need for other airports to make more intensive use of their existing infrastructure.” He went on to say that “the Government support other airports making best use of their existing runways.” [Official Report, 5 June 2018; Vol. 642, c. 171.]

Heathrow handles more freight than any other port in the country, but Heathrow is full. Even allowing for a growth in belly cargo, the capacity to handle more at Heathrow is non-existent. Gatwick is largely but not exclusively a holiday airport. It does not handle much belly cargo and has little freight capacity. Stansted has the capacity to some extent, but the turnaround time is eight hours, which is unacceptable for perishable goods. There is one airport in the south-east—Manston, in Kent—that is capable of turning around a freight aircraft in an hour and a half, has the capacity, has the runway and could bridge the gap. I want to direct attention to that this afternoon, very briefly.

Manston airport was operational until 2013. In November 2013, it was obtained for £1 by Mrs Ann Gloag, one of the shareholders in Stagecoach. She rang me on 30 November and told me in terms, “I am going to invest millions of pounds in Manston, and I will give it two years to turn things around.” Within three months, she was closing it. It is absolutely obvious that she and her successors—actually, the airport was acquired on a 100% mortgage, so effectively she still controls it—always had the intention to try to smother Manston in housing. As an aside, Manston airport is smack on top of the Thanet aquifer. If housing was put on it, the aquifer would dry up and Thanet would run out of water.
That is one of the many minor details that the proposed developers have sought to overlook. That, however, is not the point of my case this afternoon.

The point of my case this afternoon is that we have a gap that we have to bridge. Today, we are losing business—not tomorrow, next week, next month or next year, but today—to Frankfurt, Schiphol, Charles de Gaulle and Dubai, as Sir Howard said in his letter.

Adam Afriyie (Windsor) (Con): I am impressed by my hon. Friend’s passion for Manston, despite some of the challenges. He talks about competitiveness and how we are losing business to other European countries and further afield, including Dubai, but does he accept that if landing charges per passenger go up to £31, £32 or possibly even £40 from their already very high level of £22 to £23, the third runway at Heathrow will drive even more business away from this country?

Sir Roger Gale: For the sake of argument, I will accept the point my hon. Friend is making, but it is safe to say that my argument is that I am concerned about UK Ltd and post-Brexit freight. As a country, we will have to develop markets in the middle east, Asia, the far east, Africa and South America if we are going to survive in a post-Brexit modern economy. We will have to have air freight capacity to handle high-value goods coming in and going out. There is nowhere within striking distance of London for those goods to go.

I freely concede that regional airports can and will play some part in helping to solve the problem, but the problem is massive, and if we do not solve it now and we lose Manston airport as a potential freight hub, we will live to regret it. Once it is gone, it can never be retrieved. It is a national asset, not a local asset, and it has to be regarded as such. I hope and expect that when a development consent order goes in for Manston airport, the Planning Inspectorate will have cognisance of the Secretary of State’s remarks on Tuesday that we must use the available runway capacity. We have to hang on to Manston. If we can do that and use the capacity of our regional airports, we can stem the flow of business to other countries and bridge the gap, but that gap will be a large one.

I support the proposal for Heathrow. I think it is necessary, although I suspect that in fairly short order we may find that we need another runway at Gatwick as well as Heathrow, not instead of. In the interim, we have to make the best use of what we have, and what we have right on our doorstep and available is Manston airport.

2.17 pm

Ruth Cadbury (Brentford and Isleworth) (Lab): It is a pleasure to serve under your chairmanship, Sir David. I, too, congratulate the Transport Committee and its Chair on an excellent piece of work unpicking the details of the case for the third runway. I may not agree with the overall conclusion to support a third runway, but that conclusion was heavily cavedate. I support the detailed work that was done. It is impartial and well-evidenced, and the 25 recommendations are spot on.

On Tuesday, the Secretary of State released the final airports national policy statement. He is telling Members that he agreed with the Transport Committee on 24 of its 25 recommendations, but he did not. Answering demands for specific detailed information with a fudge, or a “wait and see”, is not agreeing with recommendations. The Government have decided to go ahead despite the evidence to the contrary, much of it embedded in the Committee’s report.

I want to bring the debate back to my constituency and the many other constituencies around Heathrow. The third runway will be bad news for the communities affected. It is not a few hundred people or a few hundred homes; up to 2 million people and more than 1 million homes will experience more noise than they do at present. A third runway means locally that tens of thousands of homes that do not currently experience significant noise—noise at the level that the daughter of the hon. Member for North Thanet (Sir Roger Gale) experiences in Chiswick—will have planes overhead.

Many people in Heston, Osterley, Brentford, the north side of Chiswick and through into the constituency of my hon. Friend the Member for Hammersmith (Andy Slaughter) and on into Kensington do not have planes overhead on their final approach every 60 to 90 seconds for much of the day, but they will. Most of those people, as has already been said, do not know that the approach path will be over their heads or that the planes are locked into their final approach from six to 30 nautical miles out. There cannot be any variation on the approach 70% of the time when the planes are operating on a westerly approach.

Mr Dhesi: My hon. Friend is making an excellent point about the unpredictability of the flight paths, which as yet NATS has not disclosed. Does she agree that before we proceed with any third runway we need to have cast-iron guarantees, particularly on a 6.5-hour ban on night flights, and stringent application of air quality control and noise limits?

Ruth Cadbury: I absolutely agree with my hon. Friend, and so does the Transport Committee. The Government seem to be softening their previous commitment to an absolute night flight ban of 6.5 hours. That really concerns me—it is one of a number of commitments on which the Government appear to be reneging.

Justine Greening: The hon. Lady is right to be sceptical. Those of us living close to the airport know that Heathrow Airport Limited recently proposed to start effectively normal operations from 5.30 am, but dressed it up as part of some sort of night flights ban for which we should all be extremely grateful. There is constantly a challenge of doublespeak. When Sydney airport opened its third runway, there was huge controversy around the fact that residents were simply not told how they would be affected by noise. That is exactly the mistake that we are making here.

Ruth Cadbury: The right hon. Lady is right. There is absolutely no reason why the Government and Heathrow airport cannot draw a straight line east and west of the third runway site for at least six to 13 miles. Irrespective of the NATS wider flight path revisions, by the time the planes are overhead in my constituency, they are locked into a final approach and there can be no variation. Therefore, if we know where the runway is, we know where the final approach is. Neither the Government nor the airport have had the courtesy to produce a map to show to people in Heston, Osterley, Brentford, Chiswick and Hammersmith. I really think that they should.
Up to 2 million people will experience more noise, and 300,000 more people will experience significantly more noise than they do at the moment. They are looking at planes, but generally not hearing them very loudly at the moment. Those people will start experiencing noise at the level currently experienced in parts of Isleworth, West Hounslow, Kew, Putney and so on.

The expansion will also mean around 50% more traffic movements on an already severely congested network, with the associated air pollution and the economic cost of the delays of that congestion. When we talk about traffic movements, we are not just talking about passengers. Any transport modelling must factor in all the other movements in and out of the airport, including those who work there, flight crew, flight servicing and, of course, cargo. Much of flight servicing and cargo cannot go on any route other than by road. Many of us just laugh at Heathrow’s claim that it can increase capacity with a third runway without increasing road travel.

I understand that the Minister told the House this morning—I am sorry I could not be there; I was on constituency business—that he does not recognise the £10 billion figure that was suggested by Transport for London as the cost of essential transport infrastructure. I gather that he then said words to the effect of, “It’ll be all right because the Elizabeth line, or Crossrail, and west and southern rail access will deal with the pressure of expansion.” As my hon. Friend the Member for Hammersmith rightly said, those routes will deal only with current airport demand and population growth in the region.

Transport for London is very clear that the Elizabeth line, or Crossrail, will provide little modal shift from roads. The other two schemes have been ideas and plans since terminal 5 was constructed, and are still no further forward, particularly because the Government have not committed to putting any public funding into them. All three schemes are needed right now to deal with Heathrow’s appallingly low levels of public transport access. When it comes to a cap on the increase in airport-related traffic, the Government cannot get away with referring just to passengers.

The Transport Committee requested a minimum average period of seven hours of respite a night. The national policy statement does not change the initial Government proposal of a 6.5-hour ban. Even this week, the Government are saying that the NPS “does not preclude consideration of different options.”

We are very worried about that. That sounds to me like going back on the night flight commitment.

I want to address the point about jobs, which trade unions and Labour colleagues often raise with me. There will of course be more jobs created at Heathrow—Heathrow Airport Limited said yesterday that there would be 14,000. I am not denying that there is some unemployment in our region, particularly of young people, but of all areas of the UK, our sub-region around Heathrow airport probably has among the lowest levels of unemployment.

The Transport Committee said that a lot of the new jobs creation promised by runway three will be displaced jobs. If anybody wants to know what the job situation is at Heathrow at the moment, just go on to Heathrow airport’s jobs recruitment site. It is looking for hundreds of people—low skilled, middle skilled and highly skilled—for all sorts of jobs. There is a recruitment crisis in west London and the Thames Valley, which is exacerbated by Brexit. The jobs problem that we have at the moment, particularly at Heathrow, is one of too many low-skilled, zero-hours, poorly paid jobs with poor conditions. I congratulate Heathrow Airport Ltd on signing a commitment to the London living wage, but it cannot control all the various employers in and around Heathrow. There are regions of the UK that need those jobs far more than London. West London and the Thames Valley have many other growth sectors.

Those of us near Heathrow are used to the record of broken and watered down promises on Heathrow. I have been at this game for 16 years now. This week, the final NPS ignored the detail of many of the Transport Committee’s recommendations and has watered down previous commitments on the night flight ban, the cap on total flight numbers, and the cap on the charges to airlines if costs escalate. Runway three and continuing traffic congestion will mean that children and older people will carry on dying of respiratory failure as air pollution continues to escalate—some of that from aeroplanes; a lot of that from traffic.

What of the impact on UK plc? Much of the case for a third runway at Heathrow implies that the future of aviation is in the hub model, linking short-haul routes to long-haul through the hub and spoke model. However, the Transport Committee identified very mixed evidence on the hub issue, with many reputable witnesses pointing out that point-to-point travel is growing, and will grow, faster than hub travel, particularly with the relatively recent emergence of the long-haul Dreamliner plane, selling far better than the enormous A380s. Moreover, the Transport Committee identified what the Department for Transport did not: that Gatwick is growing its long-haul destinations, and aims to have 50 long-haul destinations soon, so Gatwick could become a secondary London hub.

We have heard already that all bar four domestic routes will struggle without Government protection. That will add to the cost to the public purse of Heathrow expansion. The Secretary of State as good as admitted that when he released the NPS. He said that Birmingham airport will face “greater competitive pressures” as a result of runway three. Furthermore, the Transport Committee found that long-haul international routes from Scotland and northern airports are more likely to survive commercially if there is no additional runway in the south-east.

Despite promises to MPs, the Transport Committee report showed that all the growth in passenger numbers are outbound leisure travellers—that is, yet more Brits taking their holiday pound away from Britain’s beautiful places, which would really benefit from more tourists. The Committee said that if the UK is to comply with its commitment to cut carbon dioxide emissions, then if runway three goes ahead, growth will have to be curbed at all other UK airports. Furthermore, other sectors of the economy face serious reductions and restraints to keep UK carbon emissions within the limits.

Why should whole swathes of London and the south-east pay the price of yet more noise, increased congestion, worse pollution, and a greater safety risk? Why should other sectors of the economy have to further curb their
carbon emissions when, according to the Transport Committee report, a third runway at Heathrow shows poor value for money for the UK and no additional international connectivity? It will truly mean that non-UK regions risk losing their connections to London without subsidy. They will lose direct international connections and their tourist pounds.

**Lilian Greenwood:** I just wanted to clarify one point. My hon. Friend said that the Transport Committee had said that there would be less international direct connectivity. That is not the case. We said that there was not a huge increase with the expansion of the north-west runway than there would be under other expansion options. It is worth pointing out that direct international connectivity for non-London airports will increase under an expansion scenario, but it will not increase as much as it would have if there was no expansion.

**Ruth Cadbury:** I apologise to the Committee Chair if I got that wrong; I will double check the facts. I would certainly agree that the growth of direct international connectivity is not dependent on another runway at Heathrow. In fact, I believe that there will be only one additional destination from Heathrow with a third runway. Much of the increased demand will be, as I have said, outbound leisure tourists adding to existing routes that are already heavily used. That is where most of the demand will be and not, as Heathrow keeps saying, to newly emerging destinations. It can say that as much as it likes, but unless the demand is truly there to sustain the new routes, they are not going to happen.

Why risk sucking capital funding that is needed for essential regional transport infrastructure and upgrading into yet another expensive project in London that actually does little for the economy? By pushing for runway three, the Government are just writing a blank cheque on behalf of the UK taxpayer or the passenger, while further undermining an already poor environment for large parts of London and the south-east.

2.31 pm

**Justine Greening** (Putney) (Con): It is a pleasure to serve under your chairmanship, Sir David. I start by paying tribute to the work of the Transport Committee. Having had an interest in this area for many years, I can honestly say that it has delved into the detail behind the proposal more thoroughly than I have seen in the past, and I very much welcome that.

I recognise that what has been said is that there are some conditions that it is yet to be proven can be met in order for the third runway to go ahead. I think that is very much like saying, “Two plus two could potentially equal eight; we haven’t worked out how that will ever be possible, but let’s suspend reality for long enough to be able not to have to take a decision that confronts facts.”

We have a long-standing issue in my constituency of Putney, Roehampton and Southfields, similar to those in the constituencies of many hon. Members who will contribute to this debate today, of noise in particular, and night-time noise especially. The proposed loss of respite—it is already for only half the day and will go down to just a third—will really damage my local communities’ quality of life. This is not some minor thing to be disposed of. My constituents, like many other Londoners, are those who head in on the tube every day to keep this city going; to be in those roles that make this a capital city that generates taxation receipts that help the rest of the country, as well as Londoners, with the public services we all rely on.

Our environmental challenges are much more than noise. Air pollution has become a serious issue in London in recent years. Putney High Street is one of the worst offenders for air pollution. In the 21st century, my community is concerned about the air that we breathe; we have no choice about that when we come out of our doors. Many communities living more immediately around Heathrow and in the M4 vicinity find themselves in a similarly impossible situation, and they rely on government at local level, City Hall level and national level to fix that.

I could make a very long speech but I am going to try to keep it short, in order to demonstrate how utterly bankrupt this proposal is in practice. I yet wait for people to present me with facts that prove that somehow this is a good idea. Even the updated appraisal analysis released by the Department for Transport earlier this week shows that in the long run Gatwick is a better, higher net public value proposal than Heathrow, and it is lower risk. It takes some kind of perverse logic to pick the lower value, higher risk project that is double the cost. I do not understand the logic. When I was a Minister, I always tried to rely on an evidence base, but I simply have never found the evidence to back up Heathrow expansion. Spurious, high-level, strategic points are always made, which fall apart when we get into the detail.

We keep hearing about extra capacity. That fundamentally misses the point that there are diseconomies of scale in building a third runway. Heathrow is already the most expensive airport in the world. For an airport where a third runway would basically double its capacity, the problem of average runway cost gets worse. That is precisely why we are seeing many of our regional links and emerging market links under pressure. Heathrow airport used to have a direct link to Dar es Salaam in Tanzania—it does not any more. We used to have a direct link to Lusaka—we do not any more. That is because those slots are always worth more to companies that want to fly to New York. The same holds for our regional airports, which have seen their slots under pressure. My point is that that would get worse when the next runway to be built is even more expensive and puts pressure all over again on the routes where it is worst.

**Adam Afriyie:** My right hon. Friend is making a powerful case. She keeps referred to a “third runway,” but it strikes me that actually what Heathrow will be building is half a runway, because it will not operate at night—unless of course the Government breach their original commitment to have no night flights. Not only will it be expensive, but it will be only half a runway, and those costs will be passed on to the passengers and the airlines, who will not want to fly there.

**Justine Greening:** My understanding, when I looked at the detail previously, was that the runway, because it is inevitably being shoehorned into a small site—even the Government response rules out a fourth runway—cannot actually take the biggest category planes. If that became the mode of transport of the future, they would not be able to use that third runway.

I have real concerns about this project. Heathrow’s plan for a third runway has been knocking around for 20-plus years, which tells us everything we need to know
about it. It is a 20th century strategy that has never been reassessed, even though, as the hon. Member for Brentford and Isleworth (Ruth Cadbury) pointed out, we are now in the 21st century. The Dreamliner point-to-point will be the aviation transport model of the future, combined with, dare I say it, the entry of low-cost carriers into that market, which will want to fly out of low-cost airports, not the most expensive airport in the world—airports that are close to people at a regional level, not an airport that is hundreds of miles from where people live, for example where I grew up just outside Sheffield in south Yorkshire. Why should people in those communities have to travel all the way to London to take advantage of the connections that in the 21st century our country ought to be able to have from other airports?

Zac Goldsmith: My right hon. Friend is making a typically brilliant, forensic speech. It only heaps on the frustrations for those of us who know that the argument is so clear. She and I have both held many public meetings on the issue, and we are often asked, as are colleagues in other parties, why it is that, given that the economic case between Heathrow and Gatwick is more or less the same and the connectivity benefits are more or less the same, the Government have chosen the option that is most polluting, most disruptive, most unpopular, most expensive, most legally complex and therefore hardest to deliver. The only answer I have ever been able to come up with, because there is no logical answer, is crony capitalism. Does my right hon. Friend share my concern that going with this absurd off-the-shelf solution that has been hanging around for decades and has been consistently discredited—it is more discredited today than it was 10 years ago—is doing huge harm to the credibility of this Government?

Justine Greening: Unfortunately, there is a risk that my hon. Friend is right. It is impossible not to note that the former Treasury Minister Lord Deighton was in charge of infrastructure, and then within about a year of leaving the Department he popped up at Heathrow Airport Ltd. Why, despite all the evidence, is it never recognised that this project is utterly flawed?

The Airports Commission’s work had to be updated by the Government because its passenger numbers were completely wrong. I went to see Sir Howard to tell him that when the Airports Commission published its interim report, it failed to address that issue in the final report, and then the DFT had to update the Gatwick passenger numbers. I have been to see DFT Ministers to tell them that, too.

The Airports Commission changed its definition of what constitutes a new destination after its interim report. In the interim report, it said that a new destination is just a new destination. The problem it had with that definition is that it showed that cheaper Gatwick would have loads more destinations when it expanded than very expensive Heathrow—what a surprise. Of course airlines would use Gatwick if it is so much cheaper, and of course they would try to codeshare. They might try the Lusaka route for Monday, Wednesday and Thursday, and then the Dar es Salaam route for the rest of the week, to see which one makes money. That is called good innovation and product development, but unfortunately that did not fit the predetermined decision to expand Heathrow. Therefore, by the end of the final Airports Commission report, the definition of connectivity and new destinations had changed. For a destination to be counted as a new destination, planes have to go there seven days a week, but that does not capture emerging market destinations, which inevitably start off as a service of perhaps a couple of days a week. That disadvantaged Gatwick from the word go, and I believe it was changed to push Heathrow’s weak case to the top of the list.

This polluting, expensive project does not just affect my local community. Members of Parliament representing northern and Scottish seats should be aware of the pressure it will put on transport infrastructure spend across the whole country. TfL says that it will cost an extra £10 billion to £15 billion. London does not want to spend that transport money on Heathrow airport expansion. We want it to lift the rest of the country, but it will be snaffled up for an infrastructure programme on our doorstep that we do not want.

My hon. Friend the Member for Richmond Park (Zac Goldsmith) mentioned public meetings. I have been in public meetings with Heathrow representatives. At the last one they came to, a couple of years ago, they were asked about promises they had made at previous public meetings and in previous expansion proposals but then broken. They were also asked about why they could not simply get on with banning night flights. They told us that those promises should never have been made. My community was staggered to hear a representative of Heathrow Airport Ltd say that they had been cavalier about their promises. They said, “Well, it was a different set of management then. Why should we be beholden to them? Managers come and go.”

That private sector company—I spent 15 years working in the private sector—understandably wants a growth plan, but let us be absolutely clear that it comes at the expense of everything and everyone else. It comes at the expense of regional airports, which would not have the number of international flights that they would have done. It comes at the expense of our environment and local communities. It comes at the expense of transport infrastructure investment, which would have been there not only for London but for the rest of the country. There are virtually no upsides.

The plan might also come at the expense of Heathrow’s viability. If we cannot meet the air pollution limits, if so many people complain about the noise that the flightpaths have to be reworked, as happened in Sydney, or if the Civil Aviation Authority concludes that the flightpath work makes it hard to fit so many more flights across London’s sky safely, and therefore we cannot have as many as we want, the company will have spent £18 billion on a third runway that it will be unable to use fully. That would be a problem for all of us but, as I have shown in recent days, it will land on taxpayers’ doorsteps.

I hope that the Minister will finally correct the record and say that the clause on cost recovery—the poison pill clause, as I call it—which Heathrow Airport Ltd put in its statement of principles, is not in the other statements of principles. Heathrow Hub tweeted that out very clearly today. It is beyond me why the Department for Transport would ever have allowed that clause to go into the statement of principles.
This is a 20th-century hub strategy in a 21st-century point-to-point world. It is clear that in a modern Britain the whole of the UK needs an airport strategy. There is nothing national about this national policy statement. It is an out-of-date strategy for an out-of-date airport. We need a proper 21st-century, point-to-point, regional airport-based strategy to really put connectivity on the doorstep of millions of people outside London, including in Scotland. That would really be an exciting prospect for connecting our island to the world. Why should businessespeople doing business in Birmingham, Manchester and Edinburgh have to fly to London and then travel up? It is time we have proper connectivity for people across the country, not just in London. Earlier this year we saw the very first direct flight from Sydney to London. I only hope that Ministers reflect on the fact that this is an old strategy in a new world. It is time to move into the new world and get a new strategy that will be successful in the 21st century.

I want to see more surface access to Heathrow. At present, the plans barely deal with the challenges of a two-runway world, let alone a three-runway world. That is really important. If we are to believe that the third runway will happen, we need a modal shift to deal with the threats to air pollution and to minimise the car use that we are expecting. That means that we need Ministers and Heathrow Airport Ltd to be more ambitious to achieve the potential of that.

I want to see Heathrow dig further into its pockets to pay for the surface access. I believe that Heathrow has a big pot of money that it should be arm-twisted into spending to improve such access, and that the money is being held back as part of the negotiation strategy, to offset further things during the planning process, especially the development consent order process. That money should clearly be spent on surface access now.

Luke Pollard: Heathrow Express is the most expensive rail line in the world in terms of ticket price. There is certainly an incentive to ensure that all surface access will be affordable and accessible. If there is to be a congestion charge around Heathrow, personally I would like more money to be spent on ensuring that every single tube station in west London and throughout the entire network is accessible for disabled people, who will find that a congestion charge makes getting to the airport too expensive in the first place.

The Government need to do much more. Furthermore, the rather odd way in which airports are regulated by the Civil Aviation Authority means that there is no incentive on Heathrow to be more efficient, and that needs to be looked at. I would like to see some of that greater efficiency invested back into surface access—through Great Western, Heathrow Southern, improved bus access, the Piccadilly line upgrade, the Chiltern line, High Speed 2 and Crossrail, as well as much more besides—so that we genuinely achieve the modal shift necessary. Such a shift is essential if we are to deal with concerns about air quality. Casting our mind back a few years to the start of the Davies commission work, air quality was an issue, but not to the extent that it is today. It was not raised with the same ferocity as it would be today, and it did not have the same science and evidence behind it. Greater surface access should alleviate some concerns about air quality, but not all of them. If we get air quality right, we will probably get surface access right, and if we get surface access right, we will probably get air quality right. They go hand in hand.

The NPS and Heathrow’s own air quality plans need strengthening—the Select Committee dealt with that in our report. We only need to look at the NPS’s curiously out of date costs for oxides of nitrogen, or NOx, to understand why that needs to happen urgently. When the Davies commission first looked at airport expansion, air quality was not as big an issue as it is today, which means that we need different measures from those applied in the past.
The prominence of air quality is only going to increase, in west London, Piccadilly and Plymouth, and that is why it is so important for the Government and Heathrow to be bolder. Banning diesel cars by 2040 is a start but, if I am honest, it is a bit of a wet lettuce attempt at ambition. It should happen much sooner, with the target being brought forward, because the vast majority of concerns about air quality around Heathrow are caused by cars accessing the airport and servicing the individuals who work there.

Electric vehicles need to play a much bigger role. I was warmed and heartened to hear Heathrow talk about introducing more airside electric vehicles—the sheer buying power of that airport means that it could create a new market in airside electric vehicles—and I want to see such a plan drawn up. If Heathrow genuinely believes that, it needs to make that plan a core part of how it addresses air quality, and that needs to start with procurement and not just soundbites—it needs big, bold action now.

I also want to talk about airport charges. The expansion will in truth cost a fortune, and it will ultimately be down to passengers to pay for it. At the heart of this is the fact that people who fly from Heathrow will pay for the expansion. Yes, it may be cost-recovered to the airlines, but passengers will pay for the tickets that include the charges. The Secretary of State is broadly right to want no increase in charges, but the regulatory framework of the CAA is not sufficient to ensure that charges are kept low. The Government need to look at that in future, because I suspect that passengers will be paying more and more.

I found much merit in the idea of competition in terminal operation in the new expanded Heathrow—we are talking not only about a new runway but new terminals. To keep costs down at Heathrow, which will be the largest privately funded infrastructure project in the world, the basic tenets of a market economy need to kick in. Competition—not always welcome on my side of the House—for Heathrow, in the private sector, should be looked at. Competition over terminal operation could keep charges low at the airport. That is something that has been pushed not only by Willie Walsh and Surinder Arora but by many others. We need to keep that option on the table throughout the process.

I mentioned earlier the rather odd way in which Heathrow is regulated. The CAA incentivises expensive builds. It simply loads debt on to the regulated asset base, against which Heathrow can then generate profits to cover the borrowing. There is therefore no incentive to be efficient, creative or innovative, or to deliver schemes faster, better and cheaper. That needs to be addressed in the wider scheme, because although it is privately funded, there is a risk to the public sector if such incentives are not brought back in.

The promise made to the regions and nations by Heathrow is important, and must be delivered in the process. That promise must be delivered. Promises made to airports such as Newquay and Exeter in the far south-west must be delivered. If I am honest, I am still a bit curious about how that 15% of aviation can be allocated to regional airports under international law, but I shall leave that one for the Minister and Heathrow to address. However, we must ensure that we are safeguarding not only routes for Exeter and Newquay but future routes for the reopened Plymouth airport—routes from Plymouth to Heathrow would help to make Plymouth airport more viable in future.

Those promises made to the regions and nations of the country will be the bedrock of any vote taken by Members of Parliament in favour of Heathrow. However, my main concern when we were drafting the Select Committee report was whether any scheme would survive a legal challenge—unless the recommendations of the Transport Committee are addressed not only in the NPS element but in the DCO process. In fact, a lot of the detail adopted by the Government but shifted into the DCO process needs to be brought forward into the NPS part to provide certainty for people about what their future holds.

2.57 pm

Adam Afriyie (Windsor) (Con): I am delighted to serve under your chairmanship, Sir David. Thank you for your generosity in allowing me to speak even though I arrived a couple of minutes later than I should have done at the beginning.

I feel impassioned about this issue, however, in defence not only of my constituents—whom of course I shall defend to the death—but of our national interest. The third runway is not in our national interest, and I shall make a few points about why.

I thank the Chair of the Transport Committee, the hon. Member for Nottingham South (Lilian Greenwood), for a fantastic report—I mean that, from the bottom of my heart. It has the statistics we require, the firm and clear analysis of the Government’s position and the national policy statement, and the supporting data necessary to make an informed judgment. I therefore thank the Chair and the Committee overall.

There are many reasons for the third runway not being in the national interest, but I shall mention three or four key ones. First, commissioning a scheme that creates the most expensive airport in the world at which planes can land is not in our national interest—it does not lead to greater competition, but to more business being driven elsewhere across Europe and the world. The idea that landing fees will rise, and that that is somehow a great benefit to our country, is completely misplaced. It is a naive thought and does not come from a business perspective.

The second issue is the viability of Heathrow to finance the scheme in the first place. I would not say that Heathrow Airport Ltd is in difficulty today—I would not wish to cast aspersions on it or its pretty decent profits—but if we look at its financials, the gearing ratio in particular, it is already sitting at about 87%. That is quite worrying. We were deeply disturbed when Thames Water was at, I think, 81%—we got very concerned about it. NATS was restricted by the CAA to just 65% gearing, but in the expansion scheme the Government are suggesting that somehow Heathrow should go all the way to about 91% gearing. That is a bizarre amount of pressure from the Government to create an unstable and financially unviable company or scheme.

[David Hanson in the Chair]
That leads me to another point. We all sit here thinking, “Of course Heathrow really wants to develop this runway”—I am sure that is what the Department for Transport has thought all the way through and what lots of Members present think: that it really wants to develop the third runway. However, let me cast a note of doubt on that. Think of the obstacles, the huge legal challenges and the continuing political uncertainty. Heathrow will have to conduct the biggest waste clearance project in the history of Britain, other than after the second world war. That could cost £1 billion. It has to remove the energy-from-waste plant—or buy it, shut it down or do something with it—so that is another £1 billion. When Heathrow goes to its shareholders and investors and says, “We’d quite like about £20 billion to create half a runway, where you can only fly during the day but not at night, and we haven’t got clarity on how the slots will work or be allocated,” it is incredibly unlikely that those shareholders will stump up the money. Capital makes a choice about where it is deployed.

Is Heathrow Airport Ltd serious about building a third runway? I really question whether it is. If it gets the Secretary of State and the Government—a Conservative Government—to support a third runway, it shuts out the competition from other runways around the United Kingdom. Gatwick will not be able to develop its runway and everybody else will be left with uncertainty. There will be no further runway developments if Heathrow is given the go-ahead. If it is given the go-ahead, it may find reasons why it is not possible to raise the finance, do a waste clearance or meet the air quality legislation. Heathrow will be chuckling, because, if it does not build the runway and no one else can build a runway, it basically will have shut down expansion for the next 10 to 15 years. Guess what? Its landing fees will begin to rise, because there will be a capacity issue.

**Justine Greening:** It is even better than that. If Heathrow happens to end up incurring any costs, it has a ready-made legal case to claim them back from the Government. All the risks have been mitigated for this private sector company.

**Adam Afriyie:** My right hon. Friend is spot on, as ever. She made that point very clearly in the urgent question today and in the point of order yesterday. I support all her comments in both cases. What on earth is a Conservative Government doing underwriting a private business that is wholly owned by overseas shareholders anyway, on the basis that somehow that is in our national interest, when in fact it is completely against our comparative advantage in the airline sector?

Hon. Members from Scotland, Ireland or the regions may think, “This is a marvellous scheme, because we will have lots more routes open to us. Heathrow has been up to have a chat with us and a cup of coffee and brought us lovely chocolate biscuits and promised all sorts of goodies”—[Interruption.] Not chocolate biscuits; okay. Just look at the promises that Heathrow made before. I will not go through them now, but not one of those promises was ever met, even when it came down to the number of people who would be employed at the airport or the number of apprentices. Quite frankly, if I were Scottish or Northern Irish, I would not trust Heathrow as far as I could throw it. We have nothing in writing and nothing that is legally binding—we have less than was ever given for the fourth terminal or all sorts of other things—so I would be very cautious. Of course, hon. Members may be happy to march through the Lobby to support a Conservative Government—I can understand that.

The graph on page 31 of the report is quite telling about noise. We are talking about 323,000 people who will be hearing 51 dB of noise. They will not have heard that noise before, and yet they do not know who they are. Heathrow came to a meeting in my constituency in Ascot. It was roundly trashed all through the meeting, yet most of the people in the room were there because they were a bit annoyed about the existing noise, and they were not even under the flight path. They did not realise that potentially they will be under the flight path. How on earth can the decision be made when the people affected do not know that they will be affected? It is the wrong way round.

The promises are not worth anything, particularly when it comes to the slots, and I would be very cautious about believing them. If the Government give Heathrow permission to build the runway—I really do not understand their enthusiasm for committing to a single, private sector company that virtually holds a monopoly anyway; it is bizarre behaviour in terms of market economics—what will they do if Heathrow does not then build the runway? Is there a penalty clause for Heathrow? Will we charge it several billion pounds for pretending to want to do something that it then does not complete?

I notice that the recommendation for the Lakeside Energy from Waste plant, which is in my constituency, was the only one that the Government did not accept, giving just a single sentence—“Well, we don’t believe it’s a nationally significant venture.” Will the Minister publish the data on which that decision was based? The Lakeside Energy from Waste plant processes 40% of the hazardous waste in this country and is of enormous strategic importance, so I am surprised that no data was available for the public to see the basis on which the decision was made.

At what point will the Government back away from supporting a third runway at Heathrow? If it becomes clear that the required noise levels cannot be reached, will the Government back away and change their mind? If it becomes clear that the existing air quality legislation cannot be complied with, will they back away? If so, how will they change that decision? If it turns out that the Lakeside Energy from Waste plant will be shut down, causing a regional and possibly national issue, at what point will the Government change their mind?

I am cognisant that if the Government change their mind, possibly beyond the next 17 or 18 days, that may open up an enormous liability for the taxpayer, if Heathrow has been incurring costs from the moment that the national policy statement was published. Will the Minister explain how the Government allowed that clause, which applies only to the Heathrow proposal, not the Gatwick or other proposals, and which contains the very strange proposal to underwrite the cost incurred, whether or not the scheme goes ahead?

3.6 pm

**Andy Slaughter** (Hammersmith) (Lab): It is a real pleasure to see you in the Chair, Mr Hanson. It has been an enjoyable debate so far—it has cheered me up, as did the report from the Select Committee, ably chaired by
my hon. Friend the Member for Nottingham South (Lilian Greenwood). It also cheers me up that, with each document we have collected from the Vote Office over the past week, we are further away from having this ridiculous third runway built than we were a week ago.

I share the incredulity of hon. Members on both sides of the House about this Government and successive Governments, but not the Committee, save in respect of its clinging to the conclusion despite its own evidence. I scratch my head and puzzle about why a private company that clearly does not have the interests of the population or the economy of this country at heart is constantly taking in Government after Government, despite the evidence presented to them again and again.

We have another Minister here who will get up and gamely defend the conclusions, which look increasingly threadbare. The Government have not just been an unfair referee biased towards one side; they have joined one team. They have closed their ears to the glaring anomalies, to anything inconvenient and to the negligence in many of these documents.

The right hon. Member for Putney (Justine Greening) mentioned in her urgent question this morning the probity issue of giving indemnities to such a company. Sooner or later that will come to light and people will come to their senses. I hope that will happen in the next two weeks in the course of the vote. I will be interested to hear the comments from the Scottish National party and from colleagues from other regions of the country— not just London and the south-east—that are increasingly waking up to the problem. If we do not win the vote, I suspect we will come to our senses during the course of the very substantial legal proceedings over the next few years.

I hope that it does not take the actual fulfilment of the scheme, or the attempt to fulfil it, to show how misplaced it has been, because then we will have wasted not only huge sums of public money, but a huge opportunity, because there is a need for airport expansion, but in a way that is balanced throughout the UK and, as the right hon. Member for Putney says, is a national airport strategy. I cannot understand, with all the resources that the Department and the Government have, why they are settling for such a scheme.

I shall go back a few years to show how the arguments have changed. Those of us who represent constituencies affected by Heathrow used to be classified as nimby. I do not think we mind being nimby when we stand up for our constituents on a significant issue for which there is no justification on the other side. We are talking not about a small inconvenience, but about villages and hundreds of people’s homes being destroyed. My hon. Friend the Member for Plymouth, Sutton and Devonport (Luke Pollard) talked about how air quality has real effects on people’s quality of life and actual survival. We must not put additional pressure on an area that we are settling for such a scheme.

For all those reasons, I entirely endorse the conclusions that the Select Committee came to.

I think the Minister was in the House earlier in the week when the statement was made to hear Birmingham MPs asking why, when Birmingham Airport is going to be 30 minutes away from London and is the UK’s second city with one runway, do we want to put a third runway into Heathrow, particularly when most of the Members around that third runway are saying, “We do not want it. It is a ridiculous idea. Do not bring it here.” For all those reasons, I entirely endorse the conclusions that the Select Committee came to.

The right hon. Member for Putney raised the issue of risk in the main Chamber this morning. I am sure that the Minister will explain whether Heathrow was given beneficial treatment in that regard, relative to Gatwick, because I understand that is what he said in the main Chamber this morning. He perhaps needs to clarify that point.

I am increasingly annoyed by the way in which, without any evidence at all, the Government dismiss the evidence put forward by the Mayor and Transport for London. They know what they are talking about in relation to London’s transport network. They know how much pressure it is under and what the additional costs are likely to be. I have seen nothing to indicate that...
the Government have prepared their own robust figures on that. If they accept the TIL figures, or even part of those figures, will the Minister repeat the assurance that I think he gave to me this morning, which is that every single penny of additional cost and opportunity cost arising from the construction of a third runway, and indeed every aspect of risk, will be borne by the private developer and not by the Government? I do not know whether he can give such assurances.

I do not want to take up a huge amount of time, but I do think that the way Heathrow has conducted its case has been misleading. I have seen that for 30 years. We have seen that with the justifications for building additional terminals, the mitigation that does not happen and the promises that are constantly broken, and now we hear that those promises should never have been made in the first place. Well, that is a great comfort to my constituents, as I am sure the Minister can imagine.

On the issue of flight paths, how can the 2 million people who live around the Heathrow catchment area in west London possibly know what to expect? They are being sold a pig in a poke. One thing the Government could do is put pressure on NATS and on Heathrow to produce at least provisional flight paths to show what the effect will be. Otherwise, the assumption is that things are being done deliberately so that people do not realise until it is too late what the consequences will be.

I entirely agree with what the hon. Member for Windsor said about the energy from waste plants: 450,000 tonnes a year of non-recyclable household and commercial waste, mostly serving NHS trusts. That is an essential facility and there is no provision for its replacement. Such inconveniences are simply ignored.

We got a letter today from the former chair of the Commission, which purported to look at the arguments against Heathrow, about why it dismissed them, but it did not. The arguments are perfectly right. The obsolete nature of a hub model that has been the only possible model for a city such as London, given the changes in aircraft and aviation practice, is not dealt with. The issue of detriment to regional airports is not dealt with, and the issue of carbon emissions is not dealt with. We are constantly amazed by how the Government will not properly address those issues. I know that the Minister will have another go today, but we will see where we get to on that.

I will end by repeating what other Members have said. The Select Committee has done us a real favour, because it can be seen, particularly in the light of its conclusions, to be independent and rigorous and to have put forward many caveats. Rather than the inadequate response we have had so far, we would like to see, before we are called on to vote on this in a few days’ time, robust responses to the points that have been made. If not, it is difficult to see how any Member—I hope the Government will allow its own Members a free vote—could in conscience vote for a proposal that, however much they might see the advantages, has not satisfied any of the points of mitigation that were put forward and has not dealt with the evidence that there are better and less damaging alternatives.

3.19 pm

John Grogan (Keighley) (Lab): It is a great pleasure to follow my hon. Friend the Member for Hammersmith (Andy Slaughter), who gave a typically thoughtful and forensic speech. I will try to cheer him up even more if I can. On a day when no fewer than seven England squad players born in Yorkshire are to play at Elland Road, in their last match before the World cup, I intend to try to give the perspective from God’s own county; but I will not be able to do it nearly as well as the right hon. Member for Putney (Justine Greening) did. She may have left Rotherham a while ago, but she retains a love of the north of England and Yorkshire, and a real passion. If I may say so, the hon. Member for Windsor (Adam Afriyie) spoke with such knowledge of the north of England—he spoke, indeed, for the nation—that, by the powers invested in me, I make him an honorary Yorkshireman for the day.

Like many hon. Members present for the debate, I want to praise the Select Committee report for its thoroughness. However, just as the Committee Chair, my hon. Friend the Member for Nottingham South (Lilian Greenwood), inserted a few caveats and “but”s in her remarks, I want to express a “but” in my praise. Reading the report was, to me, like watching a 12-round boxing match. Each round came and went, and I thought there was only one boxer in it, as I read all the criticisms of the Heathrow case in the 150 pages, including appendices. I was rather surprised. It was like watching all 12 rounds when there was only one possible verdict, and then finding that the bout went to the other boxer. I felt all the evidence in the report led to one conclusion—to say, on the precautionary principle at the very least, no to Heathrow.

I want particularly to direct some remarks to someone who will be giving the third speech that we can look forward to today from a Yorkshire-born Member: I mean my hon. Friend the Member for Kingston upon Hull East (Karl Turner), who will speak from the Opposition Front Bench. I want to talk about the impact of the Heathrow announcement on Humberside airport. I hope that we shall soon hear from the Labour Transport Front-Bench team that they will follow the lead given over many years by the shadow Chancellor of the Exchequer, my right hon. Friend the Member for Hayes and Harlington (John McDonnell), who has been in strong opposition to the expansion of Heathrow. At one stage such voices were lonely ones. There is a gentleman called, I think, Len McCluskey, who is putting a little pressure on our leaders, which I hope will be resisted. Particularly given all the criticisms we have heard from the Conservative Benches of cronon capitalism, I hope that the shadow Transport team will before long put a three-line Whip on the Labour party to go through the Lobby to oppose the proposal. I will be proud to be in the Opposition Lobby on that occasion.

I want to concentrate my remarks on regional connectivity and the economies of the north of England, which is what I am best able to do. We have heard a lot about that already, and I shall not repeat what has been said, but I will express some doubts about the promises that have been heard and examined about connectivity. As I understand it, there is a promise of up to 13%. I am not sure whether there is a floor: could it be 7%, 2% or 1%? If the Minister knows of a floor, I would be glad to hear about it. I would also be interested in publication of the Government’s legal advice that it would be legal to subsidise airport-to-airport connections. It is not clear, as various hon. Members have mentioned, that that would be legal. I listened to Baroness Sugg, the
Under-Secretary, in the other place yesterday, and at column 1331 she made it clear, as other Ministers have, that most of the flights in relation to regional connectivity are expected to happen on a commercial basis.

My local airport is Leeds Bradford—an engine of the northern powerhouse. If flights to Heathrow cannot be made commercial from Leeds Bradford, where can they? Yet in the past 20 to 25 years there has been a continual story of someone getting a route to Heathrow for a few months or years, which is then cut. “Bmi cuts routes between Heathrow and the North” was the headline about 10 years ago. Just a few months ago it was “Leeds Bradford airport ‘disappointed’ as British Airways announces flight cuts to and from Heathrow”—halving the number of flights. It would be good to hear which airports Ministers consider to have a commercial case for running more slots into Heathrow.

For the north of England and for us in Yorkshire, Amsterdam is the main business connection if people want to go to a hub—although we prefer to go point to point. I think that is true for Scotland as well. I try to follow Scottish politics, and there is an awful lot of talk about connections with the Baltic states, the low countries and so on. As I look towards my hon. Friend the Member for Kingston upon Hull East, I think that it is true for Humberside as well. Flights from there are frequent, whereas from Leeds Bradford they will be down to one a day. The northern powerhouse really wants point-to-point travel. We do not want to be reliant on changing at other airports if we do not need to.

The Select Committee Chair drew attention to an extremely important sentence on page 26 of the report:

“While direct international connectivity from the regions will continue to grow in any eventuality”—

I acknowledge that.

“the DTI’s forecasts show that direct international connectivity from the regions would be lower with a NWR than without expansion.”

It is lower with the north-west runway by a big factor. There would be 74,000 fewer direct international flights per year to and from airports in the non-London regions in 2030, which I think is about 10% of the total. That increases to 161,000 fewer flights from areas outside London in 2050. That is remarkable, and how any northern MP can vote for it I am not sure.

I commend the information in the Select Committee report to my hon. Friend the Member for Kingston upon Hull East. It is all based on Government figures, by the way; it is not the Select Committee’s imaginings, but the churning of Government figures. They have been broken down now, and perhaps—I do not know—the Committee Chair could do the House a favour and have them put in the Library of the House, as they say. I do not know how that is done, but I am sure that, like Ministers, she has the power to do it. The Committee report has the figures broken down for individual airports. I will not read them all, but will give a couple of examples. Without Heathrow expansion, Birmingham would have roughly 124,000 international flights in 2030. That number goes down to 107,000 in 2030 if Heathrow expands. For Leeds Bradford, the figure is 39,000 without expansion and roughly 35,000 with expansion, over the same period. For Manchester, the figure is 179,000 if Heathrow does not expand and 159,000—20,000 fewer international flights—by 2030 if it does. Projecting through to 2060 for Glasgow, there would still be fewer flights: there would be 64,970 without Heathrow expansion and 62,874 with it.

The impact—the chilling factor—will be felt throughout the United Kingdom. As the hon. Member for Windsor said, there will be a lot of legal uncertainty, and the effect will be to put the mockers on the growth plans of all those airports around the country. I call on the airports of Birmingham and Manchester, and all the great airports, to stand up and be counted. After talking privately to their representatives, I think that the Department for Transport has had a word with some of them and pointed out that they are hoping for extra rail links and a period of silence would be appreciated. I think that is the message that is received when they are asked about it privately. Paul Keohoe, who was the chief executive of Birmingham airport, but has now gone, was vocal about the case for Birmingham. If it gets high-speed rail, Birmingham will be closer to London than Stansted. Equally, Manchester has gone suspiciously quiet in recent times. I think this is a matter on which the political representatives of those great cities should be called on.

I hope that the Mayors of Manchester and Birmingham will lead the clamour against the expansion of Heathrow, in the interest of their regional economies.

I have high hopes of the Scottish National party. I do not think that the issue is yet fixed. I think the SNP is thoughtfully thinking about whether it truly sees itself as going into the Lobby with some Conservatives, rather than joining what I hope will be the Labour party and the Green party—otherwise what will it say about anyone’s green credentials? I know that the environment in question is that of London, but it is important to us all in the United Kingdom. I hope that the SNP will reflect on that.

Justine Greening: I know the SNP are all for Scottish independence, but I am worried that they will get it by losing every single flight out of the country. I am not sure that is the kind of independence Scotland really wants. I would have thought that the SNP would be better off seizing the opportunity to develop a genuine Scottish airports strategy. One of the other airport CEOs who is concerned about Heathrow expansion is the CEO of Edinburgh airport.

John Grogan: It is almost like the right hon. Lady, who is a fellow Yorkshire-born Member, and I co-operated, because I have a quote from said gentleman—Gordon Dewar. Admittedly, Edinburgh has associations with Gatwick, which has gone suspiciously quiet in recent months. I do not know how it has been silenced, but Gordon Dewar has not been—he has been speaking for Scotland and the United Kingdom. He said:

“Heathrow expansion risks a monopolised market which is bad for passengers.”

He argues that Scottish airports are less dependent on London than ever before, and that “our passengers tell us they want to fly directly.”

I have high hopes that, despite Mr Len McCluskey, my hon. Friend the Member for Kingston upon Hull East will lead us in; only by lobbying against the Government, I have equal hopes that our Scottish nationalist comrades will reflect on this issue and that they, too, will be in the Opposition Lobby when the vote comes.
3.31 pm

Dr Rupa Huq (Ealing Central and Acton) (Lab): It is a pleasure, as always, to serve under your chairmanship, Mr Hanson. I congratulate my hon. Friend the Member for Nottingham South (Lilian Greenwood) on her sterling work on the report. I have a slight sense of déjà vu, because in this slot a couple of weeks ago we debated the Transport Committee’s excellent report on community transport. It felt then like the Government were not listening. The same Minister responded to that debate, and he seemed to have closed his ears. I hope that we do better today.

My opposition to the expansion of Heathrow is of long standing—it predates my election to this place and comes from 46 years of living under the flightpath. In 2016, I asked David Cameron whether his, “No ifs, no buts,” no third runway statement applied and when we would get a decision. We all know what happened to him—I think the week after, he was a goner.

The report is thorough, deliberate and thoughtful, and people have called it forensic, but the Government are not behaving in that way on this issue. They seem to have decided, with indecent haste, to rush to expand without properly answering the points in the report, let alone Labour’s four tests. The decision on Tuesday, which overtook the report, and the stuff that we have heard since was a long time coming, but the wrong decision has been made and the way it was reached seems highly questionable.

The Committee calls for assurances on noise, air quality and compensation. A lot of people have outlined the diminishing economic benefits of expansion. The hon. Member for Richmond Park (Zac Goldsmith) is no longer in his place—I do not think he is resigning this time, but who knows—but the voices of Government Members have been some of the most powerful in the debate. That shows that this is a question not of left and right but of right and wrong. Even within our parties, on the left and the right, there are subdivisions.

The stuff we heard on the Floor of the House on Tuesday was very flimsy. There seemed to be an attitude on the left and the right, there are subdivisions. The Foreign Secretary promised to lie down in front of the bulldozers. I cannot see that happening, but even if they do not do that, the Government surely should stand up for our constituents’ health. Air pollution is already appallingly high in our city, and the NPS fails to show how a third runway and all the emissions it will bring will improve that. As it is, 9,000 Londoners a year die prematurely from our toxic air. How is an extra runway going to help that? The current Mayor of London is acting on the issue. He has brought forward things such as the ultra-low emission zone, which the previous Mayor dragged his feet on a bit. All that will be undone, so will the Minister tell us exactly how our climate change obligations will be satisfied following this decision?

I restate that it seems the decision has been made with indecent haste. If it has been 20 years or whatever in the making, we cannot just rush into it. It is important that we get it right. Other Members mentioned the underhand way that Heathrow airport can operate. I found that from its surrogate, Back Heathrow, a mysterious so-called grassroots operation that somehow sent hundreds of postcards. The way it briefed against my hon. Friend the Member for Brentford and Isleworth (Ruth Cadbury) found that from its surrogate, Back Heathrow, a mysterious so-called grassroots operation that somehow sent hundreds of postcards.

Why did the Government and Heathrow not offer my constituents confidence that any of that has been done? Many voters, in good faith, believed the Conservatives when they said they were their savours from the third runway that our party promised under the Brown Government, long before my time in this place. I think voters will start wondering, “Does this mean that they’re casting it all off? Were these some sort of short-lived green halcyon days, when it was time to hug a husky?” We have since seen the Conservatives embrace nuclear power at Hinkley Point, fracking, and now this. I think people will wonder. David Cameron—remember him?—said something about cutting the green stuff. Well, he actually used a word that I do not think is parliamentary, Mr Hanson. Perhaps you can guess what it is—it rhymes with “nap” and begins with the letters c and r. I will not say any more than that, but people will wonder.

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The proposal is beset by problems. The level of opposition is demonstrated not just by Government Members but by the fact that the Mayor of London, who used to be a Transport Minister and I think was one of the original proponents of a third runway, has completely changed
his mind. The Mayor’s office has done a lot of modelling, which cannot just be ignored. Willie Walsh, the CEO of International Airlines Group, said that it is unlikely that all the promises made by Heathrow can ever be delivered. It almost feels like we are in an early series of “Mad Men”, when the characters did a campaign for cigarettes—they knew they were bad for people, but they sold them anyway and said they were great. Look, I use Heathrow and understand its strategic importance to the west London economy and to the whole nation, but enough is enough. Put the extra capacity elsewhere and build the links to that.

**Sir Roger Gale:** I have listened carefully to the hon. Lady and indeed to everyone else. It strikes me that, other than my modest contribution in terms of bridging a gap, not a single person has come up with any solution to the passenger and—currently much more important—freight needs of the United Kingdom. We need an answer. Just saying “we don’t want this” is no answer.

**Dr Huq:** One of the Labour party’s promises is about delivering benefits to the whole nation, which is what the hon. Gentleman was talking about, but this proposal, as my hon. Friend the Member for Brentford and Isleworth and the right hon. Member for Putney said, will suck the life out of regional airports. They will have fewer flights. It is a bad idea that is the worst of all worlds.

There are significant environmental, financial, political and legal considerations. We see divisions in the Cabinet. There will be a legal challenge, and the Government risk losing that unless all the conditions are met. It is riddled with difficulties. It is vital that before we make a decision all required mitigations are in place, but they are not at the moment. There are other impacts—one could go on and on—including community impacts; resource and waste management; air quality; surface access; connectivity; and costs and landing charges. Actually, it will be more expensive to fly from what is already a very expensive airport. I did not really get into details. I revert to an old slogan of the London Labour’s four tests, but we do not need to go into those.

**Several hon. Members rose—**

**David Hanson (in the Chair):** Order. Before I call the hon. Member for Kilmarnock and Loudoun (Alan Brown), the Scottish National party spokesperson, and subsequently the hon. Member for Kingston upon Hull East (Karl Turner), the Labour party spokesperson, given the time we have I suggest that they may have 15 minutes each, maximum. They may not need 15 minutes, but that is their maximum.

3.42 pm

**Alan Brown (Kilmarnock and Loudoun) (SNP):** It is a pleasure to serve under your chairmanship, Mr Hanson. I rise to speak with a little trepidation—I have never heard so many MPs call for what the SNP will say; it was absolutely curious. It is good that for once they will all be listening, rather than staring at their iPads.

Andy Slaughter: While we have been here, a constituent sent me a letter that had been sent to *The Scotsman*, the end of which reads:

“Scottish airports not pursuing a more independent approach will fail to break a dependency that could be vital for an independent nation. Surely a better approach to accepting Heathrow offering breadcrumbs is to build vibrant international capacity… By using modern point-to-point aircraft this will create air passenger-friendly economic activity independently of the mires of the south-east and the outdated hub-and-spoke.”

Does he not regard that as a call to arms?

**Alan Brown:** I agree with the call for independence, and it was great to hear the right hon. Member for Putney (Justine Greening) giving advice on what an independent Scotland would look like. However, even if Scotland becomes independent, we can still have the same connectivity, as that is separate from being independent. We want to be an independent country with connectivity all over the world. However, the truth of the matter is that, with regard to the expansion of Scottish airports, many of the chief executives of Scottish airports I have spoken to want Heathrow expansion.

Truth be told, they would accept Gatwick expansion, but they all say that they need that extra connectivity into the main London airport. That is the reality; it is not a factor of independence. In an ideal world we would have a major international hub in Scotland, but we do not have the critical mass.

People either support Heathrow expansion, support it with a “but”, or outright oppose it. Those who oppose it are more likely to be here on a Thursday afternoon to make their contributions heard. It has been a really good debate. Every Member, no matter their viewpoint, has complimented the excellent work done by the Transport Committee. It has published an excellent report, and I must pay tribute to the Committee’s Chair for the thorough way in which she presented it.

I am pleased that a briefing was provided for MPs. Unfortunately, I was unable to attend, but the briefing notes were excellent, giving a concise summary of some of the issues that still need to be teased out. It will be good to hear the Minister’s response. Like others, I pay tribute to the work the Clerks have done. Although I have not been involved, I know how the Clerks work, and it is great to see the report and information presented concisely.

The Committee Chair highlighted fairly that this issue is not just about connectivity; it is also about the individual people who will be affected. I am conscious that I am a Scottish MP who will be asked to vote on a decision that affects people who are not my constituents. I accept that and understand that some local people affected might be a wee bit angry about that, but unfortunately the reality of a major infrastructure project is that some people will be affected. We must look at the pros and cons, and these people should be adequately compensated and looked after. That is the flipside of a dynamic—other MPs are now advising me as a SNP and Scottish MP on what view I should take—so it works both ways.

The Committee Chair also importantly outlined the risks of inaction—decisions not taken and no further expansion of a hub airport—in terms of the potential loss of business to other European airports. She and others highlighted the risk of the project not being
delivered in Heathrow’s timescale by 2026. A pertinent point is that it could be built by 2026 and operating at full capacity by 2028—it seems counter-intuitive that it could be at full capacity just two years after its projected opening. That suggests that it is not a forward-thinking business plan. It would be good to hear comments on that.

The Chair and other Members highlighted surface access issues, particularly road traffic, the required air quality updates and the fact that there are openings for legal challenges. Again, the Minister’s response must cover that in detail. The Chair concluded by saying that the Committee’s support is conditional. It clearly has yet to meet to discuss further the Government’s response, but it is a fair comment that the report must surely have helped other Members decide how they will vote when the time comes to make this big decision. I again pay tribute to the Committee for the work it has done.

I congratulate the hon. Member for North Thanet (Sir Roger Gale) on his 35 years in Parliament. He highlighted the success of and threats from competing airports. He touched on the personal aspect of understanding how Heathrow can affect constituents but still laid out his support for the plan. I commend him for shoehorning in a connection to Manston airport and for suggesting that it could be used as a stopgap for freight transport.

We then heard from the hon. Member for Brentford and Isleworth (Ruth Cadbury), who has been campaigning against Heathrow expansion for a long time. I respect her view. She correctly highlighted flightpath concerns, and I agree that there should be more transparency on flightpaths so that people fully understand the implications. She also highlighted issues about other traffic movements.

The right hon. Member for Putney has been dogged on this issue. I commend her for securing an urgent question today. She highlighted what she sees as the financial considerations and risk to the Government in having to underwrite the project. We need further clarity. I am well aware that the Government say that there is no financial risk involved because it will be fully by the private sector, but we need absolute clarity on that. She touched on massive concerns for Scotland relating to infrastructure and growth. I welcome her conversion to Scottish independence. I appreciate what she said about Transport for London’s commitments to surface expansion potentially drawing away further investment, but the reality is that Transport for London has a different borrowing model, so that will not directly affect infrastructure spend in Scotland. That is a bit of a red herring, to be honest.

The hon. Member for Plymouth, Sutton and Devonport (Luke Pollard), having analysed this and being a member of the Transport Committee, was another “Yes, but.” He highlighted the real importance of western rail access not just for Heathrow, but for wider western connectivity. It seems that that project should have gone ahead sooner rather than later.

The hon. Member for Windsor (Adam Afriyie) came at this from the national interest approach. He made the argument that it is not in the national interests, and as a Tory he argued about the financial implications. Interestingly—this is almost a conspiracy theory—he believes that Heathrow is not going to develop and that this is just a mechanism to control competition. Depending on what happens with the vote and how we go forward, we will see whether those chickens come home to roost, but I suggest that Heathrow seems to have spent a lot of money and effort so far, and to do so for a scheme it does not intend to progress with would be quite surprising.

Adam Afriyie: In terms of the financial interest and the money that has been spent so far, I would say that it would be a pretty wise investment to spend several tens of millions if it looked as though Heathrow could increase its landing fees, increase its take and stop the competition growing for a period of 10, 20 or 30 years. That is a wise investment on its part.

Alan Brown: I take the hon. Gentleman’s point that there is a financial benefit to spending the money if it eliminates the competition, but clearly if Heathrow stymies routes and development going forward, it opens up some of the other opportunities that at the moment we are saying do not exist. I am not sure it would be in its long-term interests to be able to do that.

The hon. Member for Hammersmith (Andy Slaughter) said that this debate has cheered him up. I presume that is because quite a few people spoke in opposition—I am not sure that I will cheer him up as I continue. He highlighted concerns about flightpath and cost. As a flippant aside, I must commend him for the coherent speech he has made from the scribbles he makes on his paper. I do not know how he manages to do that, and I commend him for it.

Andy Slaughter: It is not me; it is Hansard.

Alan Brown: We all have to thank Hansard for making us seem more coherent.

The hon. Member for Keighley (John Grogan) gave us a Yorkshire perspective. To cheer him up, one of my grandparents was from Yorkshire, so I am one quarter Yorkshire—maybe I am an honorary Yorkshireman. He suggested that there should be a three-line Labour Whip against this. It will be interesting to see what the shadow Minister says about that recommendation; maybe he can give us some guidance in his summing-up speech. The hon. Member for Keighley was another one giving advice to the other SNP MPs and me on what is in Scotland’s interests. I take his point about the possible risk to direct, point-to-point, long-haul connections and some of the threats predicted for regional airports. I also have concerns and would want some protection. I want to hear what the Minister says about that.

The final Back-Bench speech was from the hon. Member for Ealing Central and Acton (Dr Huq), who again highlighted the environmental and social impacts and how traffic can affect air quality. I was trying to follow her logic. It seems that she wants the Tories to U-turn on their decision not to overturn the previous Labour decision. That seems to highlight how long this has been kicking around, how much prevarication there has been and, if nothing else, why we need to get to a decision.

Dr Huq: Following the logic that people can change their minds, would the hon. Gentleman not agree that this Government should also now change their mind on Brexit—something else that sounded good but is now unravelling?
Alan Brown: I think we should leave Brexit for another day, because I am running out of time as it is.

I will give a few thoughts on some of the Transport Committee’s key recommendations and the Government’s response. I have had the chance to skim through it quickly, since time has been limited. Recommendation 1 asks for the national policy statement to be redrafted to meet the Committee’s recommendations and the concerns it has highlighted. The Government response suggests that they have done that, but looking at the Government responses on an individual basis, it seems that they have paid platitudes to the recommendations rather than wholeheartedly taking them on board and changing the national policy statement. I would like to hear what the Minister has to say about that, since it will clearly be critical in bringing other hon. Members on board with the decision they want.

Recommendations 3 to 6 are about the Secretary of State granting development consent only on condition of satisfaction on air quality, health and safety, and environmental grounds. What will be the transparency and accountability aspects of these considerations if the vote is in favour? Why do the Government not just publish the air quality monetisation modelling? Stating that new, greener planes will help with air quality and environmental concerns is a bit of a cop-out as well. We need a wee bit more clarity on that.

Recommendations 7 to 9 relate to the surface access upgrades. Other hon. Members have raised concerns about those and we need transparency on them. We need to be sure that the upgrades will be privately financed and not underwritten by the Government, and that there are clear business models there that can be developed. There seems to be some division over whether some of the proposed rail schemes will tackle the expansion of Heathrow or are based only on existing usage. The Government need to be clear on that, and we need clear information on the M25.

Recommendation 10, from my perspective, is critical for MPs who represent regional airports. How will the 15% of slots for domestic routes be protected? The Secretary of State suggested in his statement the other day that a legal mechanism could be developed, possibly in a public service obligation, but how will that protect the number of airports that have been promised opportunities? How will the PSO work? Other hon. Members have raised the point that it might not be applicable to some of the airports that are looking for those connections. We need absolute clarity on that before the vote. If my SNP colleagues and I are voting on the basis of increased connectivity to the Heathrow international hub, we need assurances that those slots will remain in place and that Scotland will get the connectivity it has been promised.

Recommendation 11 is about affordability and deliverability. The Government response states that HAL “appears in principle to be able to privately finance” this, and paragraph 1.70 states:

“The Government will continue to monitor the financeability and affordability of the scheme as the design develops and as the economic regulatory framework for expansion matures.”

I ask the Minister to explain that to me, as a layman.

On recommendation 12, which relates to charges, the Government response states:

“The Government agrees that expansion cannot come at any cost.”

Again, what are the Government going to do to ensure that future costs do not rise exponentially, and how will they control and monitor that? I accept that there is a role for the CAA, but that still potentially leaves the door open for increased charges justified by x, y or z, where the CAA says that is completely justified.

Recommendation 25 is all about the policy consultation and ways to maximise other runway capacity across the UK. That is crucial, and the Government seem to have ignored it, apart from saying that they recognise the recommendation. I want to know what the Government will do about UK-wide airport strategy and maximising the other airports across the UK.

It is quite clear that to date the SNP, including myself, has spoken in support of Heathrow expansion. For the benefit of hon. Members, the reason is that airports in Scotland have told us that they want that connectivity. The airlines support it. There is a possibility of 16,000 jobs. The chambers of commerce in Scotland support it, as do all Scottish airports except Edinburgh, which has the Gatwick connection. That is the case at the moment. It is a “Yes, but” position, and the Government must take due cognisance of those concerns and the work of the Transport Committee.

3.58 pm

Karl Turner (Kingston upon Hull East) (Lab): It is always an absolute pleasure to serve under your chairmanship, Mr Hanson. I start by paying tribute to the Transport Committee, chaired by my hon. Friend the Member for Nottingham South (Lilian Greenwood), for the comprehensive work it has done in thoroughly scrutinising the Government’s draft airport national policy statement. I also commend right hon. and hon. Members across the House who have spoken in the debate, many of whom have long-standing views for or against expansion.

I reiterate Labour’s view. We have consistently maintained that we approach the issue pragmatically and in terms of our four tests. In our 2017 manifesto, we stated:

“Labour recognises the need for additional airport capacity in the South East. We welcome the work done by the Airports Commission, and we will guarantee that any airport expansion adheres to our tests that require noise issues to be addressed, air quality to be protected, the UK’s climate change obligations met and growth across the country supported.”

We could not be any clearer that any decision must be based on hard evidence with full transparency.

The Transport Committee completed its scrutiny just over two months ago and agreed that the draft NPS was not fit for purpose. It made 25 recommendations. The Committee’s support for expansion very much depends on the Government’s addressing its concerns in the final NPS. I do not believe that the Government have done that yet. The Secretary of State said that he had acted on 24 of the 25 recommendations, but the NPS document is largely unchanged and the majority of the Committee’s recommendations will be left for the Secretary of State to decide on at the development consent order—DCO—stage of the process.

We are effectively being asked to take the Secretary of State’s word for it. This is one of the biggest infrastructure projects in the country, and given his calamitous handling of the railways, I and many of my hon. Friends do not have confidence in him to carry this out. Will the
Minister explain why the Government have not done what the Transport Committee asked and revised the NPS to include its 25 recommendations?

A little over four months ago, I stated from this very position that the Government’s draft NPS, published in October last year, and the responses to it raised more questions than they answered. I am sorry to say that not much has changed. The Government’s response does nothing to address the Committee’s concerns on air quality; they have not amended their outdated air quality population figures or adopted a more stringent interpretation of air quality compliance. On noise, they have not updated the 2013 baseline figure or defined an acceptable noise level target. They have also failed to define a minimum level of noise respite or to set out how they intend to regulate any noise envelope. Given that air quality and noise are the two biggest concerns for people living around the airport, it beggars belief that the Government have not addressed these important issues.

On surface access, the NPS still does not give any details on what costs may fall on the taxpayer, or on the proposed changes to the M25. Will the Minister shed some more light on these issues? The Committee recommended that approval should be granted only if the target of no more airport-related traffic could be met. Rather than giving a commitment, the Government will only say that it is their “expectation” that that would be a requirement of a DCO. Will the Minister explain why that is not a firm commitment?

On domestic routes, again the Government have failed to give any detail on how they will secure slots for the regions. Given that slots are owned by airlines and not airports, it is unclear how the Government can guarantee that slots will be used for domestic routes. I hope that the Minister will give the detail that the NPS lacks in that regard.

The Committee also pointed out that there was no mention of potential costs and investment risks. The Government have not provided evidence that the scheme is affordable or deliverable. Again, they seem to have ignored the Committee’s recommendations on this important issue. The Committee recommended that airport charges be held flat in real terms, but the Government have not given that commitment. In fact, they say that “an increase in charges may ultimately be in the interest of consumers”.

Does that mean that passengers will be expected to foot the bill?

The Government have done nothing to address the Committee’s concerns about respite at night, ignoring its recommendation to increase the flight ban from six and a half hours to seven hours. The Committee made recommendations about the compensation scheme, which the Government have also ignored and left unchanged in the NPS. The Committee suggested that there should be a strategy outlining how the Government will support local communities after the planning process is finished, but the Government have not included anything in the NPS on this absolutely critical issue. There is nothing new on airspace modernisation in the Government’s response to the Committee.

I have covered the areas that the Secretary of State claims to have addressed, so I will briefly mention the area on which he admitted that he has done nothing. The Committee concluded that the updated NPS should give the Lakeside Energy from Waste plant the same recognition as the immigration removal centres, and that the replacement of its facilities should be part of the DCO. Given that not replacing the plant will have an enormously harmful effect locally, regionally and nationally, due to the inability to process the levels of waste that the plant is contracted to process, will the Minister explain why it will not form part of the DCO?

The Secretary of State stood at the Dispatch Box on Tuesday and said that he had acted on 24 of the Committee’s 25 recommendations. It is difficult to trust a word that the Secretary of State says, yet we are expected to put our trust in him to deliver this huge infrastructure project. The Opposition are not prepared to do that. The Opposition will consider the proposed expansion through our four tests and will follow the evidence across the Committee’s comprehensive recommendations. I look forward very much to hearing the Minister’s response to the concerns we have raised.

4.6 pm

The Parliamentary Under-Secretary of State for Transport (Jesse Norman): It is a delight to see you in the Chair, Mr Hanson. It has been an interesting and wide-ranging debate. I start by putting on the record my gratitude to the hon. Member for Nottingham South (Lilian Greenwood) for her detailed, thoughtful and statesmanlike speech, which absolutely flagged the way in which the Transport Committee had approached the process, the thoroughness and care with which it engaged with the issues and the unanimity of the report, subject, as she made clear, to its serious concerns being addressed. She is absolutely right about that.

Many more concerns have been raised during the debate, and I will try to cover them all individually during the course of my speech. If hon. Members feel that I have not covered any, they are absolutely welcome to write to me or to the Secretary of State, who has already said in response to my right hon. Friend the Member for Putney (Justine Greening), and as is already happening, that the Department will respond with urgency and diligence to questions put to it because of the tightness of the timetable, which is not under the control of the Government but is decided by the Planning Act 2008.

I am grateful to the hon. Member for Nottingham South and also to the Committee for securing the debate. We have had a wide-ranging conversation, and I will focus on what has been said, but particularly on the Committee’s report and the Government’s response to it. As hon. Members are aware, there will be ample opportunity to address the NPS more broadly in the debate on the Floor of the House before the vote, and I have no doubt that there will be other parliamentary occasions to do so as well. I thank the Committee for that on both of those fronts.

The Committee’s report is clear that airport expansion in the south-east is vital. It supported the strategic argument that the Heathrow north-west runway scheme is the best option, subject, as we have discussed, to the caveats described. Importantly, it does not shirk the “do nothing” option. It is aware that doing nothing is not an option—I do not think some hon. Members have quite been aware of that—given the constraints on capacity in this country, particularly in the south-east. That was an important recognition of the seriousness of the issue on both sides.
To answer a question put earlier by my hon. Friend the Member for Windsor (Adam Afriyie), the Government are clear on our side that expansion will proceed only if the proposed scheme meets strict environmental obligations and offers a world-class package of compensation and mitigations for local communities. If those are not in place, the scheme will not proceed, so genuine questions as to whether it will proceed are raised by those issues.

Having given the report careful consideration, we have welcomed and acted on all bar one of the 25 recommendations, which I shall discuss in detail. The hon. Member for Kingston upon Hull East (Karl Turner) said that we had only paid lip service to them, but that is not true; in fact, we have engaged very seriously with them. One can see that not just in the changes that have been made to the NPS itself but in the very detailed response in the back of our report, to which I direct hon. Members. The last 20 pages of the Government response are a very detailed analysis of the additional points raised in the Transport Committee’s report. This is an eight to 10-point detailed discussion and analysis, and it shows the depth of our engagement with the report. As the hon. Member for Nottingham South says, the report was received on 23 March, so we have had it for two and a half months. There was no precipitate behaviour; we have not rushed to our conclusions. We have sought to digest with care and attention the Committee’s thoughts and analysis.

Some of the issues raised by the Committee will be addressed, as our response makes clear, at a later stage in the development of the scheme, as is appropriate. It is important to say that what we are discussing is a framework document setting out the overall planning approach in relation to this very substantial national infrastructure project—it is of national significance. Therefore, it is appropriate that many of the more detailed issues that need to be solved are addressed later in the planning process.

**Justine Greening**: Will the Minister give way?

**Jesse Norman**: I am happy to give way, but even with 19 or 18 minutes left, I do not have a lot of time, given the many issues that have been raised already.

**Justine Greening**: I understand the point that my hon. Friend is making, but some of the detailed questions, as he has just called them, are actually questions about the feasibility of this project more broadly, and that is why they should be answered sooner and not later.

**Jesse Norman**: I absolutely understand the concern that my right hon. Friend expresses and I will come on to some of the aspects covered by that later in my remarks.

Let me pick out the one recommendation that we were not able to support, which was raised by several hon. Members. This is the question whether we can give recognition to that accorded to the immigration removal centres. In response to similar concerns raised during the first public consultation, we strengthened the language in the NPS. Although we recognise the important role of the plant for local waste management, it is not—this has been verified in analysis by both the Department for Environment, Food and Rural Affairs and the Department for Business, Energy and Industrial Strategy—a strategic asset and its loss would not affect the UK’s ability to meet environmental targets, so it would not be appropriate for us to set it apart from other large, privately owned business facilities.

The Committee rightly highlighted the impact that additional noise from a larger airport could have on local communities. I very much recognise, as my colleagues do, that noise is a major concern. The airports national policy statement sets out a clear policy for addressing the scheme’s noise impacts. It makes it evident that the Government expect noise mitigation measures to limit and, where possible, reduce the impact of aircraft noise. In response to the Committee’s recommendations, we have improved the clarity of the NPS—for example, over the expectation that the scheme promoter will provide more predictable periods of relief from noise through a runway alternation programme.

The NPS also sets an expectation of a six and a half-hour scheduled night flight ban. I think that there was potentially some confusion in colleagues’ minds on this issue. We have not reneged on any claim that has been made. There is an important distinction to be made between respite and a ban. In many ways, the Government’s proposal goes beyond claims that were made by others previously, because it sets an expectation for a six and a half-hour scheduled night flight ban, in addition to other forms of respite, which may come, for example, from alternation of runways. Along with the Government’s expected ban, there is scope for additional periods of respite to be provided at night, which means that we expect some communities to receive up to eight hours of noise relief at night.

It is important to say that the noise mitigation measures that we would expect to accompany any expansion at Heathrow would be determined in consultation with local communities and relevant stakeholders. Of course, we now have in place a local community forum, designed to enable the closest possible discussion of these issues with local—

**Justine Greening**: Will the Minister give way again, just briefly?

**Jesse Norman**: I will of course, but I am running out of time already.

**Justine Greening**: Again, we have had a million consultations over the years. The problem is that we are never listened to.

**Jesse Norman**: I do not think that is true, if I may say so. It has already been shown that the Department and the Government’s position has moved in reaction to concerns expressed about this issue. That is why I have described the changes that we are making to predictable periods of relief from noise through a runway programme.

It has been suggested at different times in the debate by some that the Government are rushing headlong, pell-mell into a sudden decision, and by others that we have become immured and mired in consultation and delay. The truth is that we are making fairly steady and stately progress towards a set of decisions, which may go one way or the other, depending on the merits of the case, and we are doing so with previous Governments, certainly on the Labour side, having supported this proposal, so we are rather hoping that many Labour Members will continue to support it.
New technology is already making aircraft quieter. By the time a third runway is operational at Heathrow, we would expect airlines to be making much greater use of quieter, more-efficient aircraft, which would also help reduce noise.

I want to respond to the Committee’s concerns about the potential effect of pollution on our air quality. Again, we have made changes. We have made the national policy statement clearer that delivering according to air quality obligations will provide protections for health and the environment. We have also made it very clear that the third runway will be allowed to go ahead only if it can be delivered in compliance with the UK’s air quality obligations. The environmental assessment and mitigations proposed by the airport will be very carefully scrutinised. I need hardly say, before any development consent is granted. Measures including a potential emissions-based access charge, the use of zero or low-emissions vehicles and an increase in public transport mode share use by passengers and employees would all contribute towards mitigating the impacts of an expanded airport.

I have touched already on community compensation. This is another issue that we take extremely seriously. On the issue of the compensation package for local communities, we share the Committee’s view that that is a fundamental component of the package of measures that accompany the north-west runway scheme. Heathrow Airport Holdings Ltd has committed to paying homeowners who will need to move considerably more than is required in statute—125% of market value should the developer secure development consent. It has also committed to an extensive programme of noise insulation for homes and schools. A community compensation fund will be developed by an applicant to mitigate still further any environmental impacts and, as I have suggested, a community engagement board has already been set up, with Rachel Cerfontyne appointed as the independent chair. We agree with the Committee that details of the proposals must be worked up through consultation with local communities.

Ruth Cadbury: Will the mitigation package and, in particular, the noise insulation be subject to an absolute cap, or will it be subject to the actual noise that people experience, and if they experience the higher level of noise that generates the need for insulation, will it be delivered irrespective of the monetary cap? Also, will it be delivered in advance of the new flights coming in, or will residents, as at present, have to wait up to 10 years for the noise insulation to which they are entitled?

Jesse Norman: The answer to that question is, of course, that the package will be developed in consultation with local communities and, wherever possible, with an attempt to respond to the concerns that people have had.

The hon. Member for Slough (Mr Dhesi), who is not in his place, asked whether compensation would be targeted to those most affected. The answer is that we are talking about what appears at the moment to be £2.6 billion in commitments, which is ten times bigger than the previous compensation offer made, including £700 million for noise insulation for homes and £40 million to insulate schools and community buildings. Those will be developed in a way that recognises the impacts, and the greatest impacts will be those most affected.

With regard to surface access, we know that Heathrow is already Britain’s best-connected airport by road and rail—a position that will be strengthened by future planned improvements to the public transport systems that serve the area. In responding to the Committee’s call for a further change of direction in response to the Committee’s work—to set out our clear support for the western rail link and to explain the continuing development of a southern rail access scheme. We are pressing ahead with both, but these are subject, in the usual way, to appropriate planning processes and approvals. Network Rail already has underway a statutory consultation on the development consent order for western rail. The Transport Secretary recently held an event to engage the market more closely on the appetite for a privately funded and financed southern rail scheme. We are not delaying on this.

We also welcome the Committee’s focus on managing traffic associated with the airport. The airports national policy statement requires the applicant to set out clearly how it will mitigate any impact on the transport network and support additional demands that may be created by expansion. We have proposed specific mode share targets for passengers and employees at the airport, which we expect to be requirements of any development consent order. We also support the aspiration of Heathrow Airport Ltd to expand the airport without increasing airport-related traffic. Of course, it should be for the airport operator to demonstrate, as part of any development consent application, how it intends to deliver that goal and how it will, in so doing, mitigate any impact on the public transport network.

The Chair of the Committee said, absolutely rightly, that expansion cannot come at any cost, and we concur. It is important to take a calibrated approach to this, as the Committee has done. We have been clear that we expect expansion to be financed by the private sector without Government support. We also expect the industry to work together to deliver the ambition, set by the Secretary of State in 2016, that airport charges should remain close to current levels in real terms. We will continue to test the “financeability” and affordability of the Heathrow third runway scheme, as will the regulator, the CAA, and we have revised the national policy statement to clarify how the regulatory and planning processes work in this regard, with a considerable amount of further information provided in the final proposed national policy statement. Again, we are grateful to the Committee for its input.

I am also aware of the various representations that have been made in the Chamber that the Government would somehow be liable for Heathrow’s costs, should they decide to withdraw support for the scheme. That point was raised by my right hon. Friend the Member for Putney this morning and in this debate. To be clear to her, I did not say that those policy statements were the same for all three bidders. I said that they were substantially similar. I made that point because I wanted to show that there was no predilection, as it were, towards one bid over another; they were being treated in an equal way. The language in question creates no obligation on the Government, contingent or otherwise.

Let me be clear that the Government have not entered into any agreement that gives Heathrow the right to recover its losses in the light of any scheme not proceeding.
and nor do we recognise any liability for any of the costs that Heathrow Airports Ltd has incurred or will incur in future. Separately, the Government laid before Parliament yesterday a written ministerial statement and a departmental minute that set out—this makes the point the other way—a contingent liability where one does in fact exist for statutory blight, which would commence if the proposed airports national policy statement is designated. That liability is contingent, because the Government have rightly protected the taxpayer by entering into a binding agreement with Heathrow Airport Ltd, whereby the airport will assume the financial liability for successful blight claims if, and only if, the scheme proceeds, thus protecting the taxpayer.

Many hon. Members have rightly raised the question of connectivity and regional impact. We agree with the Committee that the benefits of Heathrow expansion must be felt nationally. We welcome the Committee’s endorsement of our plans for an expanded Heathrow airport to retain existing domestic routes and add new routes. We have made it clear in our response that we will further consider domestic connectivity as part of the aviation strategy, which is in the process of being developed. Colleagues will be aware that consultation on that has recently closed. It will include the Secretary of State’s ambition for up to 15% of slots released under expansion to be used for domestic flights. The proposed airports national policy statement makes it clear that the Government require Heathrow Airport Ltd to work with the airlines to protect existing routes and deliver new connections. This will be examined as part of any DCO application. The Government will also hold Heathrow Airport Ltd to account on its public pledges, including the introduction of its £10 million route connectivity fund.

John Grogan: The Minister mentioned “up to 15%”. Is there a floor or could it be anything between 0% and 15%?

Jesse Norman: Our expectation is that it will be up to 15%, but we want to see how far that 15% can be fully utilised. We have made it perfectly clear that, although this is not a matter for Government as such, we expect to see many regional airports come forward with plans, as many have already said they would. The hon. Member for Kilmarnock and Loudoun (Alan Brown) has already given evidence of the support of Scottish airports.

Alan Brown: The Minister will be aware that the Secretary of State said in his statement on Tuesday that the Government will find a legal mechanism for the protection of slots. How is that going to happen? That seemed to be a rather more vague commitment.

Jesse Norman: That is right. We have taken legal advice on it. We believe that public service obligations are a mechanism that can be used to give legal support for that position. I hope the hon. Gentleman will take a degree of comfort from that.

I want to turn to some of the many points that were raised. I have only about two and a half minutes remaining, so I will be as quick as I can. I apologise if I miss some, and colleagues are welcome to write to me with these concerns. One suggestion made was that the scheme fails to monetise all the costs. The advice I have had is that we have monetised the air quality impact, which was identified as an omission by the Transport Committee and included in the updated appraisal report. On the question of whether there is a potentially costly risk from a delay in hitting full capacity, our judgment is that this is not specifically geared towards the delivery of a scheme in 2026 exactly, which is immediately being filled up thereafter. Sensitivity testing on this suggests that there might be limited impacts, even if there were some form of delay, which we do not expect.

Let me go through these other points, many of which I have already touched on. As I mentioned, we agree that the conversation on mitigation must focus on the communities most affected. I absolutely agree with my hon. Friend the Member for North Thanet (Sir Roger Gale), who highlighted the importance of freight. He also made a powerful case, as many regional airports have done, for wider connectivity within the UK itself. I would not be surprised if I saw a bid coming forward from Manston, in a different incarnation from its current posture. I thank him for that.

We have touched on the question of bans versus mitigation. There is a suggestion that flight paths are somehow locked in place with no ability to vary. To be clear, as we move to a world of digital airspace, the capacity to vary flight paths greatly increases. That will take a number of years and that is why it has to be developed in context with the decision about the flight paths and therefore the noise implications of that, but it is important to bear that in mind.

I am grateful to the Committee. I appreciate that, in addition to the due documents that were laid before Parliament, a whole host of other materials have been subsequently published. I am grateful to hon. Members for looking at that. If they have further comments on that material, we would be happy to hear them.

4.29 pm

Lilian Greenwood: I am pleased to have had the opportunity to debate our Select Committee’s report on this vital decision for the future of our national infrastructure. I am grateful to all Members here for reading the 154 pages we produced. In some ways this debate has been a rehearsal for the one we will have in a few weeks’ time. I hope we have succeeded in highlighting the issues that hon. Members will want to consider as they examine the case the Government presented in their final NPS. The Select Committee will certainly be reading those documents carefully and discussing whether the 24 recommendations that the Secretary of State has told us he accepted have been adequately reflected in the final proposals. The House needs to weight up the evidence and make the right decision. I hope that this debate makes a contribution to those deliberations.

4.30 pm

Motion lapsed, and sitting adjourned without Question put (Standing Order No. 10(14)).
Leaving the EU: Parliamentary Vote

Monday 11 June 2018

[IAN AUSTIN in the Chair]

Leaving the EU: Parliamentary Vote

4.30 pm

Liz Twist (Blaydon) (Lab): I beg to move,

That this House has considered e-petition 205169 relating to Parliament’s vote on the deal for the UK’s exit from the EU.

It is a pleasure to serve under your chairmanship, Mr Austin. I am pleased that the lead petitioner is in the Public Gallery to hear the debate. I present this petition on behalf of the over 113,000 people who signed it. The petition is quite straightforward:

“Parliament’s vote on the Brexit deal must include an option to remain in the EU.

A lesser of two evils choice between a bad deal and no deal is not acceptable. Our country deserves better than Hobson’s choice, and our MPs should be allowed to vote with their conscience to deliver what they believe is best for the country.”

It is either fortuitous or a strange coincidence that we are debating this petition the day before the European Union (Withdrawal) Bill returns to the House of Commons, having been through the House of Lords, where it was significantly amended—in fact, some might say, put through the wringer in several important ways.

The question of Parliament’s role in Brexit has been running since the referendum—from Gina Miller successfully taking a case to the High Court in 2016 to argue that the Government could not trigger article 50 without consulting Parliament, through to the Government’s announcement at the start of the year that they would put the final deal agreed between the UK and the European Union to a vote in both Houses of Parliament. The Government’s position is that if the Commons does not approve the agreement they present to Parliament, the UK will leave the European Union on 29 March without a deal. That is a “take it or leave it” decision.

Anneliese Dodds (Oxford East) (Lab/Co-op): I am grateful to my hon. Friend. Friend for the speech she is making and to the petitioners for raising this important subject.

The European Union (Withdrawal) Bill raises important questions about the powers of Parliament. Those who argued for Brexit talked about taking back control. Many hon. Members and other people feel that it is important that Parliament has a strong role in shaping the negotiations, just as we must have real scrutiny of how European legislation is translated into our domestic law, which is also central to the Bill. The petitioners believe, however, that the choice before Members of Parliament must include the option to remain in the European Union, and not simply to change the exit deal, whatever that turns out to be. They believe that the no deal option is not acceptable. They are asking the Government to look at this again and to allow Members of Parliament to vote on a remain option. They are asking not for the referendum to be rerun, but for Members of Parliament—nearly two years on from the
referendum, and with a great deal more detailed information out there on the real issues and on the real costs of Brexit to our economy and our communities—to have the option to vote for remain when the Government put the final agreement to the vote.

As MPs, we need to think very carefully about how we vote, bearing in mind the wishes of our constituents, how they voted—to leave or to remain—and whether their views have changed. It is my job, however, to speak for the petitioners on this important issue. They are clear that there should be a remain option when it comes to the vote.

As with all petitions, the Government have already responded online to this petition. They said that the final vote will be as they originally proposed:

“The British people voted to leave and the Government will implement their decision. The vote on the final deal will give Parliament the choice to accept the agreement or leave the EU with no agreement.”

I will let the Minister make her own response to the petitioners in more detail and explain that position to them, but it is pretty uncompromising. Barring a sudden change of mind from the Government, which I am sure the petitioners would welcome, it seems they may be disappointed in the Minister’s response.

The petitioners strongly believe that when it comes to the vote in Parliament, we, as Members of Parliament, should be given a remain option, based on the information now before us.

4.39 pm

Chris Green (Bolton West) (Con): It is a pleasure to serve under your chairmanship, Mr Austin, and to follow the hon. Member for Blaydon (Liz Twist), who gave a thoughtful speech that captured the sense of many people on the remain side of the argument. However, in any debate about Brexit or about Britain regaining sovereignty, we must be clear about why we were in the position we were in the first place.

We joined the European Economic Community in 1973. At that time, people thought of it as the common market. In 1975, we had a referendum. The decision in that referendum was overwhelming endorsement by the British people, who were about 2:1 in favour of remaining in the common market. Since then, the common market has morphed, with no direct say from the British people, into the European Community and the European Union. Once again, Parliament gave the decision to the British people as to whether we should stay or go. There is no doubt about what was decided or what is required.

Peter Grant (Glenrothes) (SNP): Out of the 17.4 million people who voted to leave the European Union, how many put on the ballot paper that they wanted to leave the single market and the customs union? The hon. Gentleman says that there is no doubt about it, so he must have the answer.

Chris Green: In the run-up to the referendum, it was abundantly clear from leave and remain campaigners, including the then Prime Minister and the then Chancellor of the Exchequer, that if we chose to leave the European Union, we would leave the single market and the customs union.

Peter Grant: Will the hon. Gentleman give way?

Chris Green: No, I will not take too many interventions. I do not know how many sub-clauses there were in the Scottish referendum, but I suspect—

Colin Clark (Gordon) (Con): On that point, will my hon. Friend give way?

Chris Green: I will.

Colin Clark: There was a 72% turnout in the 2016 referendum. At the last election, the Labour party and the Conservative party stood on manifestos that pledged to deliver Brexit. With regard to the Scottish question, Scotland decided to stay in the United Kingdom. Is the point not that there has been a democratic opportunity and a once-in-a-lifetime referendum—interestingly, the Scottish referendum was supposed to be once-in-a-lifetime referendum? Does my hon. Friend agree that not to deliver on that would be an absolute betrayal of 17.4 million people, and of the 16 million people who took part on the other side of the referendum?

Chris Green: I do to some extent, but we have a healthy democracy and the debate carries on. E-petitions are an important part of that, and many other forms of democratic debate up and down the country are entirely legitimate.

Wera Hobhouse (Bath) (LD) rose—

Chris Green: For example, if the Liberal Democrats had won the 2017 general election with an overwhelming landslide, endorsing their view of staying in the EU, I would have taken that as a serious statement from the British people.

Wera Hobhouse: Given that we have introduced referendums into our parliamentary system, is it not the whole point that we have asked the people once, and the debate has moved on, so it is now imperative that we ask them again, because we want to have a healthy democracy? We need further clarification on the decisions that are being made about moving on.

Chris Green: The hon. Lady makes an important point about clarity and what people were voting for. We could debate every single general and local election, and the Scottish and the alternative vote referendums, in those terms, saying that the people did not understand and that we must try again until they get it right. I do not agree with that. When we take the question to the people, it is for both sides, and even for people in the middle who are undecided, to make their case and their argument.

Perhaps there were flaws in the timing of the referendum, but that was not down to anyone on the leave side. It was a remainder—the then Prime Minister, David Cameron—who decided the campaign’s timing. If there are any doubts or uncertainties about people not having enough information, or enough time to gather that information, accountability has to sit with the lead remainder, who was responsible for the timetable?

We must regain control over our laws, borders and money, and we must have the right to negotiate trade deals with countries around the world. The petition has 113,613 supporters, which is a substantial number, but it falls far short of the 17.4 million people who voted to leave the European Union, as has been highlighted.
In her opening remarks, the hon. Member for Blaydon described the e-petition as suggesting a choice between two evils, or of the lesser of two evils, but that is disappointing language from the remain campaign. To describe the decision of leave voters in terms of being between one evil and another suggests that leave voters voted for evil.

In my mind, there is no doubt about the feelings of the British people and the direction of travel they want us to take. Increasingly, whether people were undecided, voted leave or even voted remain, they just want politicians to get on with it, to deliver the result and to deliver a good no deal option or—my favoured option—a good deal with the European Union.

We, the British people, want a fantastic relationship with the European Union and our friends in Europe. We want a far better deal than World Trade Organisation most favoured nation status. That is in our power and the European Union’s power. I urge the Minister to talk to all her friends and colleagues in the Department, to win that argument and win that deal.

4.46 pm
Wera Hobhouse (Bath) (LD): I thank the petitioner for bringing this debate to the House. It is a good debate to have. I have already made it clear that it is important to extend the argument about who should make the decision. Does it lie with Parliament or, in the end, with the people, whatever question we ask? That is the point I want to make.

The Liberal Democrats have long and consistently campaigned to let the people have the final say on the deal. That includes the question of remaining in the EU, for this reason:

“We should not ask people to vote on a blank sheet of paper and tell them to trust us to fill in the details afterwards. For referendums to be fair and compatible with our parliamentary process, we need the electorate to be as well informed as possible and to know exactly what they are voting for.”—[Official Report, 26 November 2002; Vol. 395, c. 202.]

Those words were spoken by the now Secretary of State for Exiting the European Union. I agree with him, and I wonder whether he agrees with himself.

Chris Green: Does the hon. Lady think that everyone who voted in the alternative vote referendum fully understood the alternative vote?

Wera Hobhouse: When a referendum result is so close, as was the case with the Brexit vote, and so crucial for the future of this country, it is important to provide clarification.

We are two years on from the 2016 referendum, and the Government’s legitimacy for their version of Brexit is lessening. The “will of the people” is the last remaining confirmation and no review—we are stuck.

Wera Hobhouse: The hon. Gentleman addresses an important debate: what is the lifetime of a referendum? When can we say that a referendum decision has been respected? If he looks at referendums in other countries, he will see that the people of Greece made a decision that was not compatible, but they were asked several times, and that was brave. I think this Government should be brave enough to go for that.

Colin Clark rose—
Wera Hobhouse: I hope the hon. Gentleman will let me make a little progress.

We are stuck with a decision that was made in 2016. Why is that? Are the Government too afraid to find out what the people think now? Indeed, the last to be asked now are the people. That is why I continue to say that if we want to be truly democratic and if we truly believe in the will of the people, what is the problem with asking them again?

Colin Clark: The hon. Lady is making a powerful speech, but referendums hold a very strange place in the British constitution, because there is not really a constitutional position for them. Today’s debate is about the legitimacy of a referendum. The Liberal Democrats are Unionists, so does she agree with the Scottish National party that there should be another independence referendum in Scotland because people’s minds may or may not have changed?

Wera Hobhouse: I thank the hon. Gentleman for that intervention, but I do not believe that a discussion on the Brexit referendum should be swapped with one on the Scottish referendum.

Britain is a parliamentary democracy—the hon. Gentleman has pointed that out—and we have now introduced this strange element of a direct democracy and of asking the people directly. However, the Government are now not allowing any mechanism for confirming or updating that referendum, or allowing any say in the final deal. It is that deal that matters most now; it will affect the lives of British citizens for generations.

It is obvious that 650 MPs cannot update, confirm or review a decision by 33 million people, but the people themselves can and should be allowed to see through the decision-making process that they started. As the MP for Bath, I am fortunate enough to have a clear mandate from my constituents that reflects my own beliefs. However, many of my colleagues are torn either between their conscience and the majority vote in their constituency, or between their conscience and their party Whip.

In addition—I have said this before—the closeness and the fierce divide of the referendum vote have made it virtually impossible for many MPs to represent their constituents fairly. Ministers have on countless occasions changed their minds on Brexit. The Secretary of State for Exiting the European Union himself said on 24 January, concerning his previous support for remaining in the customs union: “New facts, new opinions”.

Much has changed since 2016; we know far more now than we did then. I will hold my hand up and say, “So do I. I didn’t know everything.” Members of the public were told by the leave campaign that we could leave the European Union in an afternoon, but now even the hardest of hard Brexiteers will admit that it is
far more complicated and will take much longer than many expected. We were told that £350 million a week would go to the NHS; that has been quietly dropped. The potential conflict of leaving the customs union and keeping an open border on the island of Ireland was never mentioned once by the leave campaign, never mind fully understood; it is not fully understood even now.

Chris Green rose—

Wera Hobhouse: I would like to make some progress. Who in 2016 mentioned Euratom, REACH—the registration, evaluation, authorisation and restriction of chemicals—or Galileo? Information changes, and politicians move on and tweak, change and update, but they absolutely forbid the people to do so. They hide behind the false pretence that they respect the will of the people and democracy, but that is cynical and insincere. If the Government were truly interested in respecting the will of the people, they would ask them the question now, and again on the deal—although we do not even know whether there will be a deal—including the option to stay in the European Union.

I believe that the real answer is to give the people the final say on the deal. The people must finish what the people have started.

4.54 pm

Catherine West (Hornsey and Wood Green) (Lab): It is a pleasure to contribute to the debate under your chairmanship, Mr Austin. It is also a pleasure to follow the hon. Member for Bath (Wera Hobhouse) and hear her arguments, and to hear my hon. Friend the Member for Blydon (Liz Twist) lay out the case for the motion. As one would expect from a constituency such as mine, where 81% of people voted to remain in the European Union, a number of my constituents have signed the petition and it is a delight to project their voice this afternoon. Just today, we read that there will potentially be 4,000 job losses at Rolls-Royce and that Poundland is likely to go under, with 5,000 jobs lost, and I believe that over the weekend House of Fraser announced that it is closing a number of its flagship stores, which will affect many of our high streets.

Chris Green: When we look at our high streets, we are looking at our shops. Does what is happening reflect the nature of our transition out of the European Union or does it reflect, to some extent, the nature of our shopping habits, which are changing rapidly?

Catherine West: I thank the hon. Member for his intervention. I am sure it reflects trends such as the increased use of the internet to purchase products, but it is also a fundamental question of there being less employment and flatness of wages, which I believe has been a big contributor to people’s dissatisfaction with traditional politics and led to some of the debate that we have ended up with. Furthermore on the economy, of course, we have seen the drop in sterling, although it is slightly better now than it was just after the referendum result. However, we have also seen the effect on trade, in terms of uncertainty.

Colin Clark: The hon. Lady is citing specific statistics, so maybe she can answer two questions: why is employment so high; and why is the stock market at an ever-increasing level? How do those things reflect her argument about Brexit?

Catherine West: I thank the hon. Member for his intervention and I am very pleased that unemployment is now about 4%. That is something to be proud of and I am pleased that so many people are forcing themselves to go out to jobs that in other circumstances might not be that attractive. We know that most people—50% of the population—earn under £23,000. London MPs know that a lot of that money goes on rent for those in the private rented sector, and that those in the social housing sector still pay a lot of money for service charges and other things. Although I am very pleased about the employment statistics, as I am sure the hon. Gentleman is, we cannot just celebrate on that one fact alone; we have to consider the wider meaning, in terms of the level of income and the other costs that must be borne.

There is another thing to mention, of course, about trade being one of the general indicators of the economy. Today, the Financial Times shows the huge drop-off in both exports and imports for the UK, which is very troubling. We cannot say whether that is Brexit-related, of course, but what we can say is that it is related to uncertainty. Also in today’s Financial Times, I read that over the weekend House of Fraser announced that it is closing a number of its flagship stores, which will affect many of our high streets.

Chris Green: I appreciate and recognise exactly what the hon. Lady is saying, but the strongest expression of that confidence and certainty about the future would be people choosing to remain in the City of London and the United Kingdom. Alternatively, they could head over to Paris and Frankfurt, but that has not happened in a substantial way; we do not want it to happen, but it has not happened in a substantial way. That goes against some of the fears that people had a while ago.

Catherine West: The hon. Gentleman makes a good point, but I am not sure that he is accurate. My understanding is that many companies have now started...
to set up subsidiaries in the Netherlands, Berlin and other places—perhaps New York—and it would be a remiss of us not to take that seriously. The City has wanted to give the Government time, but it is now getting frustrated. I understand that during the recess, when we were off doing constituency work or having a little break, members of the City of London went to see the Prime Minister and came out a little dissatisfied—because they are worried, I guess, but also because of the lack of coherence in the Brexit strategy, which is something that I, as a London MP, am particularly worried about.

My next point is about the national health service. We are all well versed in what was on the side of the bus and the promises of £350 million for the NHS, so I shall not go over those, but I want to make a point about the workforce. We seem to be in a parallel universe. We know that Brexit will have an effect on migration and it is the stated desire of the Prime Minister to reduce migration, but when our GP clinics and our secondary care—our hospitals—are crying out for talented doctors and nurses to come and serve our constituents when they are ill, it seems rather unadvised that the Prime Minister refuses to at least look at the migration quotas she seems to have set herself.

The other big issue regarding migration is, of course, international students, who, along with education, are one of our best exports. The shadow Minister has done an awful lot of work in that regard and I have followed up on it, trying to raise his concerns and those of others about placing education at the heart of things as one of our proudest exports, and looking again at the target for students. At the moment, there is a cap on international students that is counted as part of the total immigration cap, which seems a bit like cutting off our nose to spite our face. I hope that we will consider that matter urgently, particularly now that we have a new Secretary of State, who might have a different view and a little more sway and that, following the Windrush and other scandals, we will try to take a much more sensible approach to immigration.

I do not think that any of us who are on Twitter will have missed how the tone of the debate has deteriorated somewhat since the referendum. My neighbouring MP, my right hon. Friend the Member for Tottenham (Mr Lammy), has received the most horrendous abuse, not just because he has spoken out clearly in favour of remaining in the EU—fine, that is his position—but because of the colour of his skin. We have seen that again with my right hon. Friend the Member for Hackney North and Stoke Newington (Ms Abbott) and I am sure that other Members have also experienced terrible racist remarks. I cannot help thinking that that has been part of the whole Brexit package. Indeed, I feel that there was a lack of leadership, originally, by Mr Cameron. He has gone now so we cannot ask him to come before us, but he promised that referendum without even indicating his plans for the economy or anything else, including for tackling what has become a terribly xenophobic debate, particularly on social media.

I briefly want to mention the leave campaign funding. In the past couple of days, a number of emails have been revealed that show the sheer scale of contact between members of the public who funded that campaign and the Russian Government.

Chris Green: Is that the official leave campaign or another campaign?

Catherine West: That is a very good question, and I am sure that if we asked the Digital, Culture, Media and Sport Committee they would get to the bottom of it if, indeed, the people who were requested to turn up did so. I have been astounded by the cheek of some people who will not come before a Committee of elected Members, and I am pleased that Mr Speaker has taken a firm line on that.

A point has been made that we need to develop more: is the funding for our political campaigning somehow being abused? Do we need to tighten up legislation, approaches and rules? I, too, am worried about that. We know that there is a rule that donations can come only from British residents who are on the electoral register but we must look behind the individual, at what they might be getting in return for their support for a particular side, as with the allegations in today’s papers about Mr Bank’s business interests and the sheer amount he gave to the leave campaign.

I want to touch on Northern Ireland. As someone who cares a lot about peace and is interested in all sorts of peace negotiations around the world, be they in Colombia, Cyprus or Israel and Palestine, I think that we have made much progress on peace in Northern Ireland. For me, that is the biggest issue, and not just on a pragmatic level. Before Christmas, in phase 1 of the Brexit negotiations, we saw that to be the sticking point, with everyone holding their breath as the Prime Minister spoke to Arlene Foster. That was a fudge, wasn’t it? It really just slipped over because it was the end of phase 1. I have a horrible feeling that we will gallop up to the end of the Brexit process and there will be exactly the same issue. Therefore, with your permission, Mr Austin, I thought I might spend one minute going through what I believe to be important in relation to the Northern Ireland question.

Peace in Northern Ireland is one of the largest concerns for all parties negotiating the withdrawal from the European Union. Northern Ireland remains at the heart of the negotiations due to its unique history. Its 300-mile land border with the Republic of Ireland, its at times splintered political structures, its economy and the lasting terrorist threat continue to cause concern. Many now worry that its economic and political fabric could crack as the UK meanders towards a hard Brexit, in part because joint EU membership helps to underpin the Good Friday agreement. The Irish Government have ceded articles 2 and 3 of their constitution, which claim jurisdiction over the whole island of Ireland, willing to rely on collective European identity to reassure nationalists in Northern Ireland that the island will come closer together.

The EU has played a large role in boosting Northern Ireland’s economy, through structural funds. In comparison with the rest of the UK, Northern Ireland benefits disproportionately from the common agricultural policy; and if, as many expect, London’s fiscal transfers do not match the lost EU funds, its economy will be harshly hit. Leaving the EU also puts Northern Ireland at risk of losing future funding for peace and reconciliation programmes.

Meanwhile, Ireland, the EU and the UK Government have all repeatedly made clear their opposition to a hard border, something that locals and campaigners say
could risk the peace process and hit cross-border trade and the economy. However, the UK Government currently rule out being in the customs union, and I await with bated breath the votes that come between now and 1 August to see how that resolves itself. In the absence of regulatory alignment, all sides are beginning to acknowledge that there will be a hard border, because what else could there be. That has led many of us, in different parties, to call for remaining in the customs union or, at a minimum, committing to regulatory alignment, and that is echoed by many, including Simon Coveney, the Irish Minister for Foreign Affairs and Trade, Ireland’s European Commissioner, Phil Hogan, and even Michel Barnier. We cannot ignore the question of Northern Ireland and I am sure, instinctively, that we will end up with that being the sticking point at 11.59 pm on the day that Brexit is decided.

Finally, on the wider geopolitical picture, this weekend Mr Trump made a number of strange statements, including a questioning of NATO. The idea that America would leave NATO is rather strange, but his speeches, if read carefully, appear to suggest that. That puts a rather different shine on our relationship with Europe and I, for one, am much more concerned to hug Europe closer because of that. Some of Mr Trump’s values regarding not wanting to be part of the climate change process—

Chris Green: NATO is incredibly important, as are all our international relationships. In a conflict situation, would the hon. Lady depend more on Germany’s 1.1% or 1.2% of GDP on defence spending, or the United States’ 4%? Is the United States of America not living up to her international responsibilities in a way that Germany and many other European countries are not?

Catherine West: I do not think it was Mrs May or any of us who said we did not want the US to be in NATO. Unless I am mistaken—perhaps I am reading different newspapers—it was Mr Trump who was putting into question his commitment to NATO over the weekend. It raises questions in the same way as when he wanted to walk away from the Paris climate agreement. He was able basically to decide not to be part of that when almost every scientist internationally accepts that climate change is our greatest scientific challenge. In addition, some of his statements about ethnic minorities and the Muslim community in particular are deeply worrying. I feel they add to the sense of xenophobia that we are seeing not only in this country, but internationally. Such statements corrode our sense of our values as western powers—our values of human rights and a commitment to peace, stability and doing things right.

My deepest concern is about the international rules-based approach being deeply challenged by someone as important as Mr Trump. Last week, on the International Trade Committee visit to Geneva, I was able to speak to negotiators, who described the style of leadership as disruptive leadership. I am not sure what the best description for it is, except “deeply troubling”. This is a time for all of us in the west who are concerned about some of the international challenges to stick together. We should not tear ourselves apart or shout insults by tweet; we should pull ourselves together and face those challenges together. The whole debate on Brexit is corrosive. It fractures what is so important right now, which is to stick up for our values of human rights, peace, stability and security. I hope those who signed the petition will look at this debate and know we are taking these issues very seriously.

5.12 pm

Dr David Drew (Stroud) (Lab/Co-op): I am delighted to serve under your chairmanship, Mr Austin. I congratulate the petitioners, my hon. Friend the Member for Blaydon (Liz Twist), who introduced this debate very fairly, walking on eggshells as she did. I congratulate the petitioners because it is right and proper that Parliament has the opportunity to debate these issues. I am delighted to follow my hon. Friend the Member for Hornsey and Wood Green (Catherine West).

I want to keep my remarks very narrow, in the sense that I have been clear that I do not want another referendum. When I was in this place previously, I argued that the decision on the EU had to be taken by the British people. I was not directly involved in politics at the time of the referendum, but I thought the experience of the referendum was dreadful. It brought out the very worst in politicians and, dare I say, the public.

I am sure I am the only Member here who took part in the 1975 referendum, in which I voted. I was a member of the Labour party at the time—I have been one for 48 years now—and I remember that referendum being called out of weakness by the then Government, who were in direct conflict with their own party. There is nothing new in politics, is there? The referendum was conducted. It was not left versus right, because the left was split, the right was split and the centre was split, but compared with what happened in the recent referendum, it was so genteel. People actually argued their case. They did not involve themselves in personal invective, and they did not try to get money from wherever to allow the case not to be presented in the way that was best for the British public to understand, but slanted so that the British public ended up believing it was just about pure prejudice. That was not a good way to take the decision.

I disagree with the hon. Member for Bath (Wera Hobhouse), who has since disappeared. I am clear that if we re-run the referendum, things would not get any better. All the evidence is that another referendum would be much more divisive. What would it resolve? If leave won, it would confirm that leave had won, but that is the situation at the moment. If remain won, we would have “neverendum”, because there would have to be a play-off. That is the worry with having another referendum. I am someone who has argued that, in fundamental constitutional issues, there has to be a referendum, but I have changed my mind. I would be happy to bring forward a Bill to ban referendums in this country. They are alien to our form of parliamentary democracy. It might work in Switzerland or other countries, but it has not worked in this country. We have ended up with the worst-case scenario. We had a narrow victory on one side and a poor debate that did not yield the arguments that needed to be brought forward.

What is the alternative? It is about time Parliament reasserted its authority. We only end up with referendums when a Government do not feel they can get their business through and Parliament cops out and refuses to take responsibility. Parliament cannot cop out on
this matter anymore. When we come to the end of the negotiating period, it has to look at what is on the table. To be fair to the Government, this week we are all trying to pre-empt what we think the final deal will look like. Those of us who are partial towards the customs union hope that, at the very least, the Government will move on that issue. On other issues, we will have to see.

Hon. Members should remember that it takes two to tango. We can have all the arguments we like on this side, but if the other side—the EU—decides, “That is not what we want”, we are back to where we started. To my mind, we should rule out a second referendum. We should at least give the Government some opportunity to negotiate, but with pressure from the Opposition, because that is our job. We have to make the Government's life fairly unbearable. We will do that this week, and we hope they lose a few of the Divisions, because that will make things much more interesting. That is what Oppositions do, and it is what Parliament is there for.

Governments have to try to withstand that pressure. They may or may not. The one thing I feel absolutely certain about is that it will be a disaster if we go along the referendum path again. It will lead to even more division.

Catherine West: Given there seems to be an impasse within the Government on which direction to take, does my hon. Friend agree that when the deal is complete, it might help if the Prime Minister went back to the people and said, “Is this what you meant”?

Dr Drew: That is a wonderful notion, but what will come out of the negotiations, if anything, will be a complicated settlement. We could end up with no deal. That would be a disaster, because I fear we would then move towards free trade deals with Lord knows who. We have got a debate on Thursday on agriculture, which is my area of responsibility on the Opposition Front Bench. If we do not negotiate something, I fear we will end up with a real dog's breakfast of agreements that we might be able to sign.

I know what my hon. Friend is saying. My problem is that it will still lead to an incredibly divisive outcome—people feel so strongly. Anyone who feels differently from me should say so and intervene. I have heard strong opinions on both sides, and I do not think that people have shifted, in the main. Some people have done, because that is inevitable—some people shift between parties before elections, dare I say—but in the main, people are pretty clear in their views. If those opinions are stirred up by anybody or any side, things will only get worse.

We have to take responsibility, and it will not be easy. We are going to upset some people. Parliament will not necessarily be flavour of the month for those who feel we have come up with the wrong solution, but that is what they elect us for. That is why I have a problem with referenda. In a sense, they negate our power as parliamentarians to do what we believe is right. If people do not like it, they get rid of us. At the moment, if we go back to the referendum, I fear we will end up with an even more difficult outcome, whichever way it goes, and the debate will be dreadful, because what we have seen so far will be there with knobs on. People will feel even more strongly, and they will get up to even more antics because they believe that is their right. That is where we, as a democracy, will struggle, because we have to put things back together. At the end of the day, whoever is in power will have to try and run things for the whole of the country, divided or not. I worry that the further apart we get and the more divided the debate is, the more difficult it will be to put things back together again.

Catherine West: I share my hon. Friend's concern about referenda. However, our result was not like the Republic of Ireland's recent referendum result of 66:33, or whatever the maths is, and the difference was so fine. Does he not accept that, although I am not a great fan of referenda, and given that Mr Cameron has led us this far, a referendum is perhaps the only thing that could give either a stamp of approval or overturn things? I do not put any value judgment on either position. I am talking about giving clarity.

Dr Drew: We always argue whether it is “referenda” or “referendums”, but I will stick to “referendums”.

The problem with what my hon. Friend suggests is that I envisage a very close result again, whichever way it goes.

Chris Green: On the question of 52:48, a concern would be where to draw the line. The debate on the Scottish referendum result of 55:45 would then be opened up again, and we have to stop it now. A decision is a decision.

Dr Drew: Of course, the Scottish referendum had a 40% benchmark, which derailed the whole process for Scottish devolution for a time, so there are ways in which we can play tricks, but that is a problem. I do not think we can play tricks anymore. I think the general public will see through it and will feel let down.

We are going to take a lot of stick over the coming weeks and months—dare I say even years—but Parliament needs to reassert its authority to make decisions in the best interests of the people of this country. We individually stand or fall by that. It is easy to say that, eventually, there will be a fail-safe solution, but I fear that if we have got to that stage, it will not be a fail-safe at all and the people of this country will be at war with each other. I do not mean that in a nasty sense, but people's opinions are divided on this issue. We might suggest having very strict guidelines on another referendum. There were supposedly guidelines on the previous one. Well, you could have fooled me. People simply misbehaved and said things that they thought were attractive and would win votes for their side, without any accountability whatever, so I would worry about that.

Parliament has to take a decision. It will be difficult. We have to get the Government back and hold them to account. We have to see what the final deal is. As I say, I fear no deal situation. That might be where we push the Government back to say that that is not acceptable. We will be voting this week. My hon. Friend the Member for Sheffield Central (Paul Blomfield) on the Front Bench might have things to say about that—perhaps not today, but in future. We believe there will have to be a deal, but, as I say, the referendum that could follow it, which might result in a divided outcome, is the worst possible outcome, so please, Parliament, make a decision.

Hugh Gaffney (Coatbridge, Chryston and Bellshill) (Lab): Will my hon. Friend give way?
Dr Drew: I was just on my peroration there, but I will give way.

Hugh Gaffney: I thank my hon. Friend for giving way. I am really worried that there has been no White Paper published. That is a big concern for me because people ask me questions about it. Should the Government be held to account for not delivering a White Paper to the people of Great Britain?

Dr Drew: I agree with my hon. Friend. It would be helpful if parliamentarians had the evidence to start with, so that we could make up our minds. The public will not read it and make a decision. They will base their decision on prejudice, which is what we, effectively, catalysed in the debate that took place in the previous referendum. So, please, Parliament, reassert authority, hold the Government to account, force them to get a deal, and let us see where we go from there.

5.24 pm

Tom Brake (Carshalton and Wallington) (LD): Thank you, Mr Austin, for allowing me to make a short speech. I apologise for being in the main Chamber, first for the Yemen statement and then for the G7 statement, but I had put in a request to speak in this debate when neither of those were scheduled.

I want to comment on a couple of points made by the hon. Member for Stroud (Dr Drew). He described the referendum two years ago as dreadful, and I agree with him on that point. I do not, however, agree with his conclusion that we should not have another referendum. It does not automatically follow that if we have a final say on the deal, or a people’s vote, that that referendum would be dreadful as well. That is not necessarily the case. From talking to people on both sides of the argument, I have found that the discussion we should have had before the referendum is the one that we have had over the past two years. People’s awareness of what it means is therefore much greater now than it was prior to June 2016. I am confident that, although any such campaign will never be 100% clean—I am certain of that—it will be a hell of a lot cleaner than the one we had two years ago, particularly if we make sure that certain safeguards are put in place, as has happened in referendums in other countries.

For instance, an independentarbitercan examine the claims made by both camps. I accept that, two years ago, people on both sides of the argument told porkies. They were, on occasion, mendacious and fantastical. On other occasions they were deluded, and in some cases their claims were all three of those things at once. We could have someone with the ability to say, “No, you cannot say that”, and clamp down on it straightaway.

We also need a much higher degree of awareness and checks and balances in social media campaigning, so that every single advert that goes out on Facebook—if we allow it—has the equivalent of the “printed and published by” that appears on the bottom of our leaflets, and people can see who it comes from. If it comes from me, they will see, “Tom Brake, Liberal Democrats”, and know it is an advert funded by me. Equally, if it comes from my Conservative or Labour opponent, they will know that as well. If it has nothing on the bottom of it and has therefore come from President Putin, they can draw their own conclusions about the possible source of that particular advert in a referendum campaign. I think we can do things differently.

There is another reason why opinions are so divided, to use the phrase of the hon. Member for Stroud. There is nothing to suggest that, as the Government steamroller through the proposals that some Conservative Brexeters love so much, the nation will not be anything other than even more divided that it was when it voted in June 2016. He might think otherwise. He might think that the Government will somehow, miraculously, manage the process, but they have not even managed to unite their own Front Benchers, so how will they unite the country behind their proposals? Frankly, that will not happen. If we do leave, we will be as divided as we were before June 2016.

In some ways, therefore, having a final say on the deal, or a people’s vote, gives everyone the opportunity to look at what it means now that we have an understanding of what is involved. Rather than the European Union being about to give us billions of pounds, the truth is far from it: we are about to give it billions of pounds—up to £40 billion. If people understand the extent of what is involved, they will go into the campaign with a clearer understanding. If a people’s vote were to take place and we had a 10-week campaign that was relatively fair and properly administered, and if the country voted 52-48 for whatever deal the Government had secured, as far as I am concerned that would be it. We would have voted to leave the European Union and we would go, even though I dislike intensely that approach. At least most people would feel that they had had the campaign to which they were entitled—but never got—in June 2016. I do not agree with the hon. Member for Stroud that proceeding in the way proposed by the Government will ensure that the country is not extremely divided.

The petition gives rise to the question whether there should be a people’s vote, so I suppose the first thing to ask is whether one is wanted. The hon. Member for Stroud said that there has not been a shift in people’s views. Most polls suggest that there has been a slight shift in favour of remain. In Northern Ireland, which perhaps has more knowledge than anywhere else of the impact of Brexit, there has been a very large shift in support for staying in the EU.

Anneliese Dodds: I gently point out that this debate is not on the subject of having a people’s vote, but on Parliament’s ability to have more options as part of a meaningful vote, including—specifically for the petitioners—the option of remaining in the EU. I just want to clarify that, because many thousands of people signed the petition and it is important that we talk about the exact subject.

Tom Brake: I am very happy to do that. Of course, I think of Members of Parliament as people. Clearly we are entitled to a people’s vote, as are the people.

Does Parliament want to have a vote on this subject? Certainly, the Lords have made their views clear. From votes that have taken place so far, it seems there is perhaps not yet a majority in the House of Commons in favour of a people’s vote or a parliamentary vote that would allow us to choose between the deal the Government secure and staying in the European Union. That would be a meaningful vote. Parliament’s meaningful vote cannot be a choice between a deal that we know will be bad—the Government’s impact assessments have told us that whatever deal they come up with will be bad for
us and shrink the UK economy—and crashing out of the European Union, which we know would be an absolute catastrophe and lead to blockages at every single port and airport around the country and to huge job losses. That is a not a meaningful vote. A meaningful vote would be one where the Prime Minister conceded that Members of Parliament could send it back.

Frankly, I think the Government are going to come up with a deal that no one likes. Which Member of Parliament, when the Government come forward with a deal, will stand up and say, “This is a brilliant deal—I absolutely love it”? I do not think a single Member of Parliament will stand up and say, “The deal the Government have struck is brilliant.” I will not, because I am a remainer, but nor will the members of the European Research Group, because they can see that the Government are making compromises. I suspect we will end up in a position where Members of Parliament are presented with a deal that no one will support.

Catherine West: Will the right hon. Gentleman reflect on the closeness of the original vote? A no-deal exit is so far from any interpretation of the very close original referendum result. It would be different if it were a soft Brexit. Perhaps it could be argued that that was okay, but a no-deal exit is so different from that 52% to 48% result. We all have to interpret the wishes of our constituents, but no deal is so far removed from what people wanted from Brexit in the best case scenario.

Tom Brake: I agree entirely with the hon. Lady. Members of Parliament should be offered a choice that reflects the choices that people made in the EU referendum campaign. I certainly cannot remember anyone saying to me, “I think the best thing for the United Kingdom would be to crash out overnight, on World Trade Organisation rules. That would be brilliant for British businesses and jobs.” If anyone had a constituent come to them and say, “That’s a fantastic solution,” they should stick their hand up now. No one will do so, because no one thought that that was a solution. Yet it seems that that is the choice that Members of Parliament will be offered.

Either we go for a deal that no Member of Parliament will support, whether they are a supporter of the ERG or a remainder like me, or we go for no deal, which nobody has ever supported from the outset. We are in a strange position. If the Government want to do this the right way, I suggest to them that remaining in the EU should be on the ballot paper. If it is, we might end up with a parliamentary outcome that reflects more closely the views of Members of Parliament and possibly those of the public more generally.

Members of Parliament should have a meaningful vote, for the reasons that I have set out. We are entitled to a real choice—not a Hobson’s choice between something catastrophic and something even more catastrophic. I will touch briefly on why there should also be a people’s vote. I have heard worrying reports from some Members of Parliament. Unfortunately, during the EU referendum campaign two years ago we had the murder of Jo Cox. Since then, Members of Parliament have been threatened for their views on our membership of the European Union. The only threats I have had are the comments that everyone who stands at a stall in favour of remain gets. A person stops, says, “You’re a traitor,” and then walks off.

That is the only sort of threat I have had, but I am aware that other Members of Parliament have had much more serious ones. There is a question mark over the extent to which they will be able to vote fairly and cleanly in the forthcoming votes. Potentially, a very small number of votes will determine the outcome, one way or the other. If Members of Parliament are scared of making the decision that they think is right because they have had threats to their lives—often the threats are not as serious as that, but they still have to be reported to the police—that is another reason why throwing this open to the country might be the right thing to do.

I thank the hon. Member for Oxford East (Anneliese Dodds) for her earlier intervention, ensuring that I came back on track and that, as opposed to focusing all my effort on the people’s vote, I came back to the parliamentary vote, which is just as significant.

Dr Drew: My worry is that whatever pressure we come under in this place and outside, our role in another referendum would be even more dangerously vulnerable, because of the nature of that debate. The right hon. Gentleman said earlier that it would be a better debate. I wish I believed him, but I think it would be a worse debate.

Tom Brake: We are each entitled to our views. I do not know what level of engagement the hon. Gentleman has had with people in his constituency or further afield, but all the discussions we are now having about whether the European arrest warrant will continue, the European Aviation Safety Agency, the European Medicines Agency, and whether we should comply with EU standards on products are, frankly, discussions that were not had before the referendum. They are being had now, and I believe there is a greater awareness of the implications than there was before. That is why I have a hope, though this is not a certainty, that were such a referendum to take place it would be better informed than the previous one.

I should not be overly indulgent, Mr Austin, given that you have allowed me to speak in special circumstances. I congratulate the petitioners on securing more than 100,000 signatures, and on reinforcing the point that not only should there be a people’s vote in the wider country, but Members of Parliament are entitled to be treated as grown-ups and have the opportunity to take part in a meaningful vote—not one that presents us with two options that are completely unacceptable.

5.39 pm

Peter Grant (Glenrothes) (SNP): It is as pleasure to begin summing up the debate. I commend the hon. Member for Blaydon (Liz Twist) for the detailed, well-informed way in which she presented the petitioners’ argument. Thank you, Mr Austin, for relaxing the dress code for those of us with a slightly different thermostat. Hon. Members will be immensely relieved to know that I do not intend to adopt the dress code that may have been sported by the hon. Lady’s constituents in Blaydon and people in other parts of the great city of Newcastle upon Tyne at the weekend—that might be a wee bit much for the parliamentary cameras.

We have had an interesting debate, but disappointingly a lot of hon. Members confused the question of a meaningful vote in the House of Commons with the
Frankly, that is disrespectful to the petitioners. I understand why people tend to conjoin the two proposals, but the arguments for and against them are completely different. I will focus on the argument for giving elected Members of Parliament a meaningful vote once we know the full details of the deal that has—or, heaven forbid, has not—been struck at the end of the negotiation process. Let us remember that the negotiation process has about four months to go, perhaps five, if we are lucky, so we are running out of time.

The hon. Member for Bolton West (Chris Green) made a stirring speech, but missed the point entirely. I even gave him the chance to come to the point when I asked him how many people who voted in the referendum said in their vote that they wanted to leave the customs union and the single market. The answer is absolutely none. I do not know how many of those 17.4 million people wanted to leave both of those institutions. Perhaps all of them did; perhaps none of them did. We gave people a simple, binary, either/or choice on a question that was far too complicated to be resolved in its entirety by such a vote.

It is worth reminding the hon. Gentleman that the manifesto on which his party got its only overall majority in this place in 25 years said that we would stay in the single market. The manifesto on which it threw away its overall majority—against what, to begin with, looked like a fairly disorganised and divided Opposition—was the one in which it said that we would leave the single market.

Chris Green: I have seen numerous clips on television and read numerous articles in which campaigners from both the leave and the remain campaigns clearly stated that if we voted to leave the European Union, we would leave the single market and the customs union. I have seen abundant examples of people saying that. I am in no doubt that my constituents were perfectly clear about that.

Peter Grant: I have seen abundant statements from leading leave campaigners that said that if we left the European Union we would get £375 million for the health service. I have also seen abundant statements from the hon. Gentleman’s colleagues in the Scottish Conservative party who said that voting for me to come down here was a declaration of a desire for Scottish independence. Sadly, it was not; we need a bit more than that.

I do not understand the nonsensical idea that the interpretation of any electoral contest should be dictated by what the losers said was going to happen. What a ridiculous way of interpreting a democratic contest! Most Opposition Members who spoke referred to the serious flaws in the way the referendum was set up and conducted, and the way the referendum rules were enforced—or, as is becoming increasingly clear, were not enforced. The fact is that the referendum produced a result. On a UK-wide basis, it produced a result; in England and Wales, it produced a result; in Scotland and Northern Ireland, it produced a different result, and we ain’t going to let people forget that in a hurry.

The hon. Member for Bath (Wera Hobhouse)—my colleague on the Exiting the European Union Committee—rightly drew attention to a number of the false promises that were made during the leave campaign. It is a complete fudge to say, “That was our leave campaign; it was somebody else’s leave campaign. A big bad boy leave campaign done it, and then they ran away”—in some cases, they ran away to become Foreign Secretary.

Chris Green: Will the hon. Gentleman give way?

Peter Grant: The hon. Gentleman has had enough chances to speak, between his substantive speech and his interventions. I note that when questions are raised about the conduct of the leave campaign, he wants to know which leave campaign it was. The question, then, is, which leave campaign won the referendum? If we do not know that, we cannot possibly know which version of leave people voted for.

The hon. Member for Hornsey and Wood Green (Catherine West), who is backed up by a substantial majority in her constituency—her constituents are clearly in favour of remaining in the European Union—also drew attention to some of the flaws in the process. Questions must be asked about who provided the massive funding for the leave campaign. I know that opinion polls can sometimes be misleading, but there are certainly many indications that, if it is established that there was something seriously dodgy about how any of the leave campaigns were funded, even people who voted to leave will see that as cheating. That is simply not the way we do what passes for democracy in this place and in these islands.

Catherine West: The hon. Gentleman is making some very important points. Does he agree that, once we know more and journalists have an opportunity to uncover more—perhaps in their own emails—we might discover that there should be a police investigation into some of those worrying issues, such as how the money that pushed the vote in a certain direction was amassed?

Peter Grant: Some of the revelations of the past few days could certainly lead to that. We now need to ensure those in charge of the investigations have the information they need and are co-operated with fully when they carry them out. That, of course, includes Select Committees of this Parliament. It is fascinating that some of the champions of the “bring sovereignty back to Parliament” brigade ran a mile when Parliament asked them to come in and account for the way they ran their campaigns, but the leave campaign has been full of contradictions from the beginning.

The hon. Member for Stroud (Dr Drew) made an interesting speech. He, too, tended to talk about a second referendum, although he made the point that it is possible to reject the idea of another referendum while supporting the idea that Members of Parliament, who have been guaranteed a vote, have to be given a meaningful vote. I do not think that choosing between an option the Prime Minister says is unpalatable and one she says is unacceptable is anything like a meaningful vote.

I find it extraordinary that a Prime Minister who has told us so often that our relationship with the European Union cannot be based on a binary choice is so obsessed with giving us a binary choice when it comes to the crunch. She told us in October 2016 that controlling immigration is not a binary decision. In March 2017, she said:
“It is wrong to think of the single market as a binary issue”—[Official Report, 14 March 2017; Vol. 623, c. 190.]

In October 2016, she said that
“the way in which you deal with the customs union is not a binary choice”—[Official Report, 24 October 2016; Vol. 616, c. 35.]

She must have meant it about the customs union, because she repeated that in November 2016, February 2017 and March 2018. That is only in the House of Commons Hansard. That does not include the number of times she has made the same comments at press conferences and in fancy speeches. In fact, the only time the Government seem to think that this is a binary question is whenever they want a decision to be made. In the referendum, we had a binary choice—in or out of the European Union, without any consideration of the infinite variety of what in or out could be. The Government palmed off any attempt to amend the article 50 Bill. We either had to support it in its entirety or reject it. In the first major speech the Prime Minister made about the European Union, she made a binary decision that we were leaving the customs union and the single market, before anybody, including the Prime Minister herself, had the faintest clue about where we would go after we had left those destinations.

Incidentally, I can advise the hon. Member for Bolton West that there is no such thing as a good no deal at the end of these negotiations. There is no such thing as a no deal that is better than a bad deal. Even the Government could not negotiate a deal worse than what no deal would mean for the people of these islands.

We are now being told that, when it comes to the last chance to avoid a catastrophic hard Brexit, we will be presented with a choice between a possibly horrific deal that the Government have agreed with the European Union and an even more horrific deal that they have failed to agree.

Chris Green: Does the hon. Gentleman agree that it is incumbent not only on our Government but on the European Union to do the best thing for the peoples of Europe, which is to have a good negotiation and a good deal when we leave the EU?

Peter Grant: A better way of dealing with it is for the Parliament whose job is to hold the United Kingdom Government to account to concentrate on doing that and let our MEPs hold the European Commission and the European Council to account. The potential catastrophes at the end of the Brexit negotiations are piling up not because the European Union negotiators are not looking after the interests of the population of Europe, but because the United Kingdom Government are not looking after the interests of the people of the United Kingdom. They are looking after their own political skins more than anything else.

Last week’s stand-off between the Prime Minister and the Brexit Secretary is a perfect example of that. So they go to nose to nose, probably both threatening to resign if they do not get their own way, and they come up with some kind of fudge. They then realise that they have been so busy fighting to score points off each other that no one has had the idea of trying to put together a solution that will be even vaguely acceptable to our colleagues in the European Union.

The hard-line Brexiteers are bitterly disappointed that Europe has not fallen apart. The 27 remaining member states of the European Union are doing what Europeans do well in a crisis: they are sticking together. Speak to parliamentarians and Ministers in almost any of the 27 countries and there is no suggestion that the Foreign Secretary or the International Trade Secretary will somehow drive wedges between our neighbours in mainland Europe. That will simply not happen, and the sooner the UK Government understand that the better.

The UK Government need to understand that they took a unilateral decision—without the backing of a referendum—to leave the customs union and the single market, and only then started to look at what the consequences might be. We cannot blame the Europeans for that, or the Irish for the catastrophe that the Government may be stoking up on the Irish border; the catastrophe is entirely of the United Kingdom’s making, and it is entirely up to the United Kingdom to sort it out. We cannot ask everyone else to sort out the mess that our own Government have made for us.

There has to be a meaningful vote in Parliament at the end of the process. There has to be a meaningful chance for the devolved nations to have a say—the voices of the devolved nations have been silenced throughout, despite all the promises about them being listened to and respected. None of the three devolved nations has had any real chance to influence the discussions.

The Prime Minister wants us to have a straight binary choice between unpalatable and unacceptable. I hope that we will now say to the Prime Minister and the rest of the Government that neither of those solutions is an acceptable position to put this Parliament in. At the last gasp, Parliament should have the opportunity to say, “No, Prime Minister, we’re not doing it—take it back and think again”—[Interruption.]

Ian Austin (in the Chair): Order. [HON. MEMBERS: “It was outside!”] Was it? I thought it was someone’s phone in the Chamber. Apologies. I call Peter Grant—[Interruption.]

Tom Brake: Demonstrators outside are saying, “Stop Brexit!” Good timing.

Peter Grant: They are indeed. I can speak for longer if you want, Mr Austin, but—

Ian Austin (in the Chair): I thought that was coming from someone’s phone—apologies. Had you finished?

Peter Grant: I would love to have that on my phone, but I had finished.

5.52 pm

Paul Blomfield (Sheffield Central) (Lab): It is a pleasure to wind up the debate on behalf of the Opposition with you in the Chair, Mr Austin. I congratulate my hon. Friend the Member for Blaydon (Liz Twist) on the thoughtful way in which she presented the feelings of the petitioners. I also congratulate the petitioners on their engagement in this process.

The debate is timely—that is an understatement, given the week that we have ahead. Tomorrow the European Union (Withdrawal) Bill returns to the Commons, and this issue will be at the very heart of those discussions, because it is critical. The petitioners could have expected many more colleagues from all parties and a much longer debate had we not been
preparing for discussion of the Bill this week. If anyone gets bored with that, we also have Brexit oral questions on Thursday, so it is a Brexit-packed week in Parliament.

The current situation is clearly something of a national disaster. We are having the most important negotiations for our country since the second world war, but we are being led by the most dysfunctional Government in our lifetimes. The uncertainty created by that was highlighted powerfully by my hon. Friend the Member for Hornsey and Wood Green (Catherine West) in terms of the impact on our economy. We have four months to go until the October conclusion of the negotiations. After two years, with just four months left, we see open warfare in the Cabinet. The Government are still incapable—this is quite extraordinary—of publishing the negotiating objectives White Paper they promised only four weeks ago.

Catherine West: Is my hon. Friend surprised that foreign direct investment has dropped by 90% from 2016 to today?

Paul Blomfield: I am not surprised, frankly. A couple of weeks ago, I was in Strasbourg talking to colleagues from different parties and countries, and they are shocked by Britain at the moment. Whatever their differences have been with us in the past, they always respected Britain as having an effective Government with a well-oiled diplomatic machine and being clear on their objectives and how to achieve them. They cannot believe the Government’s shambles, creating the uncertainty that my hon. Friend spoke about.

We still have no solution to the Irish border and to fulfilling the obligation made by the Government. We are not further forward on plans to protect what was originally described as frictionless trade—the Government are now backtracking on that and talking about a more limited ambition. We certainly have no clarity on how they will achieve the exact same benefits that we now enjoy in the single market and the customs union—a negotiating aim that they set for themselves and that the Prime Minister has repeated.

[GERAINT DAVIES in the Chair]

The open warfare is incredible. Only last week the Foreign Secretary unfavourably compared the Prime Minister’s negotiating approach with that of Donald Trump. Is that what we have come to? The holder of one of the key offices of state is undermining his own Prime Minister and, indeed, the Chancellor of the Exchequer, who said a little while ago on national television that he was being openly undermined and briefed against by other members of the Cabinet. This is a shocking position to be in.

With the Government paralysed by their own divisions, it looks increasingly as if Parliament will need—to coin a phrase—to take back control. It is ironic that some of the most vocal supporters of leaving the European Union, who made grand demands about parliamentary sovereignty central to their campaign, are so reluctant to concede that parliamentary sovereignty at this vital time. Those who cried foul about being a vassal state during the transition period seem to want a vassal Parliament in these vital negotiations. At this critical juncture, they say yes, they want parliamentary sovereignty—but not just yet, and not if it undermines their desire for the most extreme Brexit.

Wera Hobhouse: Does that not demonstrate that the hard Brexiteers want Brexit at any cost, including the cost of democracy?

Paul Blomfield: That is a point that I have made on the Floor of the House: there are those within the governing party—though clearly a minority—who want Brexit at any cost to the political stability of our continent and to the economy of this country. They are driven by Brexit above everything, and the Labour party and I do not believe that that is in the interests of this country.

Since First Reading, having a meaningful vote for Parliament on the final deal has been one of the Labour party’s key tests for the withdrawal Bill. We have been clear that a binary “take it or leave it” vote, in a zero-sum game tactic from the Government, will in no way constitute a meaningful vote. Crucially, that view unites Members across parties, and that is why the House voted last December for the amendment moved by the right hon. and learned Member for Beaconsfield (Mr Grieve), to give Parliament a meaningful vote on the withdrawal agreement—to the consternation of the Government.

The Government immediately looked for wriggle room to avoid meeting that ambition of Parliament. The Lords therefore added greater clarity about what constitutes a meaningful vote, by accepting the amendment moved by the Conservative peer, Viscount Hailsham, which provides for a motion and an Act and, in the event of the motion not passing, for any decision on the next steps to be firmly in Parliament’s hands. With two defeats under their belt on the issue, the Government have now moved their own amendment—but they have not moved far enough.

Peter Grant: Does the hon. Gentleman not think it slightly ironic that the Government and their friends at the Daily Mail are decrying the anti-patriotic behaviour of lords who agreed 15 amendments that the Government did not like at the same time as agreeing 160-plus amendments that the Government did like?

Paul Blomfield: The hon. Gentleman makes a very fair point. There has been a series of contradictions over the years in the position that some extreme Brexiteers have taken on the House of Lords—some have been its greatest champions and opponents of its reform.

Let me come back to the Government’s amendment. If the House was to vote down a motion under their proposals, Parliament would lose all influence. We would get no more than a statement from the Government informing us how they will proceed, frustrating the ambition of the vote that we had in December. Let us be clear: the Government’s amendment does not stop them sideling Parliament from a crucial decision that will determine our future relationship with the EU, and nor does it prevent us from crashing out without a deal.

Viscount Hailsham’s amendment is explicit that if we do not accept the Government’s deal, it is for Parliament to determine the next steps. We will not be boxed into accepting “take it or leave it” options. We support the amendment because, as my hon. Friend the Member for
Stroud (Dr Drew) pointed out, it is Parliament that is elected to determine the country’s future. Viscount Hailsham’s amendment would ensure Parliament directs the Government on how to proceed in the article 50 negotiations, in whatever way it sees fit at that time.

It is right that, in the words of the petition,

“A lesser of two evils choice between a bad deal and no deal is not acceptable. Our country deserves better than Hobson’s choice”.

I am sorry that the hon. Member for Bolton West (Chris Green) is no longer in his seat; it is unfortunate that he misrepresented the petition’s objective and the use of “evil”. I do not think that the petitioners mean that a deal of some sort would in no sense be acceptable; their words were simply that the “choice between a bad deal and no deal” is not.

When Parliament makes a decision, all options have to be open, but the petitioners need to recognise that Parliament does not have the political mandate to overturn the referendum. To do so would create a democratic crisis. Clearly, some argue for a further referendum—those arguments were exercised today by the hon. Member for Bath (Wera Hobhouse); the right hon. Member for Carshalton and Wallington (Tom Brake), although at one point he seemed confused about which petition he was talking about; and, in a different way, by my hon. Friend the Member for Stroud. But there is no indication of majority public support for a further referendum. There is growing support for a public vote on the final deal, but when polled, people do not want staying in the EU necessarily to be an option on the ballot paper—they are seeking a choice between that deal and a better deal, without looking back at the original referendum choice.

Tom Brake: If the hon. Gentleman has ruled out the option of a referendum on the deal, what solution does he see to the problem that he has identified? If Parliament makes a decision that stops the process, how will the country get out of that democratic dilemma?

Paul Blomfield: I appreciate the Liberal Democrats’ love of referendums, but I remind the right hon. Gentleman that, as far back as 2010, it was the Liberal Democrats who called for a referendum on our membership of the European Union—at the time, the Labour party opposed it—for that to be a decisive vote and for Parliament to accept the outcome. They are in a bit of a difficult position as they argue their point.

Wera Hobhouse: I do not think the hon. Gentleman answered my right hon. Friend’s question, so it would be nice to hear his answer. Precisely because we believe in debate and in the sensible arguments coming forward in the end, there is no contradiction in our saying, “Let’s discuss it to the end and take it to the people in the end.” That is the most democratic way forward.

Paul Blomfield: Let me return to the right hon. Gentleman’s question: it is not possible for us at this stage to predict how Parliament should exercise its response to the final deal. We need all the options to be available. I was simply pointing out that when the Liberal Democrats called for the 2016 referendum, they said that the results should be binding. It is a little ironic that, just as they jumped on that bandwagon, they are jumping on this one.

Mr Austin—sorry, Mr Davies—

Geraint Davies (in the Chair): I am the new Dr Who.

Paul Blomfield: That was a seamless transition, Mr Davies.

The majority in Parliament respect the referendum result and those who voted in it, too. That majority knows that people voted to get out of the EU but that they did not vote to lose out. The majority wants a sensible approach to Brexit—no longer being in the EU but being in a customs union, with the closest possible relationship with the single market and continuing membership of the agencies that we built together.

The hon. Member for Bolton West was wrong in his characterisation of Labour’s position; our position was clear in our manifesto at the last election. The Prime Minister should reach out to the majority in Parliament and the majority in the country. If she comes back in October with a deal that fails the British people, it will be Parliament’s duty to set the direction for the next steps.

6.7 pm

The Parliamentary Under-Secretary of State for Exiting the European Union (Suella Braverman): I thank the hon. Member for Blaydon (Liz Twist) for opening and contributing to the debate on behalf of the Petitions Committee, and for speaking for the more than 100,000 people who signed the petition. The petition calls for Parliament’s vote on the Brexit deal to include an option to remain in the European Union. I applaud the way in which she presented the heartfelt views of the many people who took the time to sign the petition.

I thank also all those who spoke, whether in support of or in opposition to the petition. My hon. Friend the Member for Bolton West (Chris Green) provided a balanced speech in which he acknowledged the vibrant democracy and lively debate that Brexit provokes and reflects. He has been a principled campaigner not only for his constituents but for the leave campaign. He made a powerful contribution.

The hon. Members for Bath (Wera Hobhouse) and for Hornsey and Wood Green (Catherine West) made thoughtful contributions, too. I was, however, concerned to hear a high number of negative words; the Labour spokesperson, the hon. Member for Sheffield Central (Paul Blomfield), used the words, “catastrophe”, “disaster” and “warfare”. I must challenge the pessimism of hon. Members—I disagree with it and I will talk about that later.

I echo the sentiment of the hon. Member for Sheffield Central in response to the calls for a second referendum by the hon. Member for Bath and the right hon. Member for Carshalton and Wallington (Tom Brake). It is at odds with what their erstwhile leader Nick Clegg pledged in his now famous leaflet that called for a “real referendum” on the European Union, to settle the question once and for all. I do not know about them, but the events of 2016 looked pretty real and authentic to me. In their call for a second referendum, they are slightly at odds with what their previous leader advocated.

Tom Brake: Will the Minister feel that the events of 2016 were as real as she states if, for instance, police investigations determine that one of the leave campaigns—Vote Leave and BeLeave—in fact broke the law with their campaigning?
Suella Braverman: I am not going to comment on the speculative and hypothetical theories that are being circulated, but it is clear that the accusations that the right hon. Gentleman puts are not against the official campaign—the organisation that was nominated to lead the leave campaign in the 2016 referendum.

The hon. Member for Hornsey and Wood Green made an interesting and wide-ranging speech about many aspects of the European Union—not least the economic case for remaining in the EU, if it is fair to describe it in that way—but again, I disagree with her sentiments. Output in the service sector is up, consumer spending is up, output in the manufacturing and construction sectors is up, growth forecasts have been revised up, foreign direct investment projects are up and unemployment is at a 40-year low—all that despite Brexit—so I question what economic picture she refers to.

Catherine West: What does the Minister make of the 90% drop in foreign direct investment, which has been commented on in the financial pages of every major newspaper? I am referring not to projects—I noticed that she qualified what she said by referring to projects—but to the 90% drop in FDI. Further, what does she make of the drop in house prices in high-value areas, which has an impact on supply chains?

Suella Braverman: The hon. Lady can refer to the Department for International Trade figures that I relied on, which show that foreign direct investment projects have been on the increase since the referendum. More broadly, we can also look at the number of global companies that are choosing the UK as an investment location. Most recently, Amazon announced the creation of 2,500 jobs by the end of this year. If that is not a vote of confidence in the British economy, I do not know what is.

Out of respect for the strength of our democracy and the public’s trust in our democratic institutions, I cannot respond in the way that the 100,000-plus signatories to the petition may wish me to. Simply put, remaining in the EU is not an option. I do not say that lightly, as I recognise the strength of feeling about this issue on both sides of the debate. The Government’s position is clear: we will respect the result of the referendum. The UK will not remain a member of the European Union. We are also clear, as a matter of firm policy, that our notification under article 50 will not be withdrawn. We will leave the European Union on 29 March 2019.

Before I turn to Members’ specific questions, let me set out why that is our policy and how it will be reflected in our approach to the vote on the withdrawal agreement and the terms of our future relationship. When voters walked into polling booths on 23 June 2016, they had received through their doors a leaflet from the Government that set out very clearly, with no room for misunderstanding or misinterpretation:

“This is your decision. The Government will implement what you decide.”

That decision was equally clear. Voters were asked:

“Should the United Kingdom remain a member of the European Union?”

On 23 June 2016, 72% of the electorate voted on that question, and 17.4 million of them—52% of those who voted—made a clear and unambiguous decision. They instructed the Government to take the UK out of the EU—to leave.

Peter Grant: Although I do not agree with that decision, I accept that that instruction was given. Can the Minister tell me who instructed the Government to leave the customs union and the single market?

Suella Braverman: To me and to the millions of people who listened to any of the debate in the run-up to that important vote—as I said, there was a record turnout in many constituencies—it is clear that it was said time and again that leaving the European Union would mean leaving the customs union and the single market. Someone would have had to be pretty isolated and switched off to ignore that central feature of the debate.

That is the biggest democratic mandate for a course of action achieved by any Government in the United Kingdom. After the referendum, the House voted by a clear majority to authorise the Prime Minister to trigger article 50, which provided the legal basis for our withdrawal and commenced the leaving process. In the recent general election, more than 80% of people voted for parties committed to respecting the result of the referendum.

That is why I must say at this point that the amendments recently tabled by Labour, and the move in its policy, confirm our worst suspicions. Labour’s policy is now for us to remain in the single market and the customs union, and it seems likely to accept free movement of people. That looks like remain, it sounds like remain—yes, it is a policy in favour of remaining in the EU.

The instruction from the referendum cannot be ignored. The Government are clear that the British people voted to leave the EU, so that is what we must do. As the Secretary of State for Exiting the EU noted,

“the electorate voted for a Government to give them a referendum. Parliament voted to hold the referendum, the people voted in that referendum, and we are now honouring the result of that referendum, as we said we would.”—[Official Report, 31 January 2017; Vol. 620, c. 818.]

The Prime Minister said in October:

“This is about more than the decision to leave the EU; it is about whether the public can trust their politicians to put in place the decision they took.”—[Official Report, 23 October 2017; Vol. 630, c. 45.]

The UK can trust this Government to honour the referendum result. We recognise that to do otherwise would be to undermine the decision of the British people, which would have worrying implications for our democracy.

Right hon. and hon. Members may regret the chain of events I have described, and they may regret that there was not a caveat that the result of the referendum could be overturned by Parliament if it did not like the result of the negotiations, but the time to add that caveat was when the European Union Referendum Act 2015 was passed. I note that many Members in the Chamber—the hon. Member for Hornsey and Wood Green, the right hon. Member for Carshalton and Wallington, and the shadow Minister, for instance—voted in favour of passing that Act. That Act did not say that the referendum result would be the best of three, it did not say that, if we did not like the first result, we could go away and rerun the referendum to get the result we wanted, and it did not say that there had to be a certain result. That was the time to make these suggestions—not now, after the public has voted.

Wera Hobhouse: Does the Minister not agree that it is in the best interests of the whole country that we come together behind a decision that most people see as a
good way forward that will lead to a good future? Does not her insistence on the result of this one Brexit referendum hide all our difficulties as a country? Is not the best way forward for us all to go to the people again and to clarify and confirm the matter so that we can all move forward together? I absolutely believe that we should get that clarification, in the interests of everyone—including the Government.

Suella Braverman: The hon. Lady’s point is inherently contradictory. On the one hand, she says, “Isn’t it important that we all come together and unite and put our divisions behind us?” I wholeheartedly agree with that sentiment. I urge every Member present to get behind the referendum result and support the Government’s agenda.

On the other hand, however, the hon. Lady says, “Let’s have another vote”—a divisive vote on a contentious question again. I do not see how that sits easily. We have had a vote and the argument, the people have instructed the Government and we will deliver what they have told us to do.

Tom Brake: I believe that the Minister was a member of the European Research Group. Does she think that the approach the Government are adopting—it is very much the ERG agenda, which is for the hardest Brexit possible—is the best way to secure a united country?

Suella Braverman: I do not recognise any of the terms used by the right hon. Gentleman. I do not believe in a hard Brexit or a soft Brexit, a hardest possible Brexit or a softest possible Brexit. I believe in Brexit. We are either in the European Union or out of the European Union. We are either in the customs union or out of the customs union, and either in the single market or out of the single market, with either free movement of people or no free movement of people.

Wera Hobhouse: Will the Minister give way?

Suella Braverman: I will not, because I need to get on with my speech and I have given way many times. Those are the objectives of the Government and of the Prime Minister.

As I have said, the Government recognise the strength of feeling on this issue. That is why we know that it is incumbent on us to secure a deal that works for all of the United Kingdom and one that Parliament will want to support. As the Prime Minister has said, our decision to leave the EU does not mark an ending; it marks a new beginning for our relationship with our European allies. This is where I diverge from right hon. and hon. Members and their pessimistic view of negotiations so far: we have made significant progress on the negotiations. We have agreed the terms of a time-limited implementation period.

Paul Blomfield: Will the Minister acknowledge that when Labour, echoing the views of business, the trade unions and many across the country, first floated the idea of a transitional period, the Prime Minister said she did not want that, so she defines progress as embracing Labour’s aspirations?

Suella Braverman: I do not think the Government have embraced Labour’s aspirations for a long time, and long may that continue. The implementation period was requested by the business community and the Government responded in kind. We have agreed the terms of a time-limited implementation period, and on the wider withdrawal agreement we have locked down entire chapters on citizens’ rights and the financial settlement. As to our future relationship, we are confident that we will secure an ambitious future partnership with the EU, covering both a significant economic relationship and a deep security relationship. I look forward to the forthcoming publication of our White Paper, which will set that out in detail.

On the economic side, we want the broadest and deepest possible partnership, covering more sectors and co-operating more fully than any free trade agreement anywhere in the world today. We want the greatest possible tariff and barrier-free trade with our European neighbours as well as the freedom to negotiate our own trade agreements around the world. That is why we are leaving the customs union and the single market. We want to ensure that UK companies have the maximum freedom to trade with and operate within European markets, and to let European businesses do the same in the UK. We therefore propose a unique and ambitious partnership, based on our rules and regulations being the same at the start and on maintaining our commitment to free trade and high standards while allowing for us both to make changes where we want to in a stable and orderly way.

On security, we have been clear that we must do whatever is most practical and pragmatic to provide security for our citizens. We must not allow competition to inhibit our co-operation and jeopardise the security of our citizens.

To return to the detail of the petition, the Government have committed to holding a vote on the final deal in Parliament as soon as possible after agreement has been reached on the withdrawal agreement and the terms of our future relationship, and the negotiations have concluded. The House will know that the Government have tabled an amendment to the European Union (Withdrawal) Bill for consideration this week, which will write into law our existing commitment on the vote on the final deal.

Some reference has been made to amendment 19—the Hailsam amendment—which is of concern. The Government’s amendment in lieu will write into law our existing commitment on the vote in the final deal. The problem with the Hailsam amendment is that it would remove Parliament’s ability to direct the Government in the negotiations—sorry, the amendment we have tabled will remove Parliament’s ability to direct the Government in the negotiations, which is a dangerous element contained in Viscount Hailsham’s amendment. It is important that I get that right.

Paul Blomfield: The Minister has, on the second attempt, defined what the Government’s amendment seeks to do: to remove from Parliament the opportunity to direct the Government in the event of not accepting the deal. Does she not recognise that that would leave the Parliament of the United Kingdom powerless in the most important negotiations facing our country?

Suella Braverman: I disagree. The Hailsam amendment would set a dangerous constitutional precedent that would limit the Government’s prerogative in the act of
international treaty negotiation. That would reduce the flexibility necessary for a successful negotiation, which is essential for the Government if we are to get the best deal possible.

Catherine West: Will the Minister accept that such language may lead to a grounds swell for a further referendum? Parliament is not being given the genuine power to direct the negotiation, which is the original meaning of giving sovereignty to Parliament.

Suella Braverman: The Government have been clear, and our amendment reiterates that clarity, that Parliament will have the power to have a vote on the final deal. That will be a meaningful vote. The hon. Lady talks about parliamentary sovereignty and encouraging scrutiny, and a meaningful vote on the final deal is the best example and biggest opportunity for Parliament to have the very say she talks about on the deal presented and negotiated by the Government.

Liz Twist: Can the Minister explain what she understands by the phrase “a meaningful vote”? It seems to many of us that the Government amendment might take that away.

Suella Braverman: No, not at all. The Government amendment writes into law our existing commitment on the vote on the final deal. It makes it clear that that is the case. In no way does it reduce the opportunity for and power of Parliament to have a meaningful vote on the final deal.

Paul Blomfield: The Minister is of course right that the Government’s amendment does not remove Parliament’s power to have a vote. However, will she not accept, addressing her remarks to those behind the petition as well, that the Government’s amendment takes all meaning out of the word “meaningful”? It simply provides for Parliament to have a take it or leave it, like it or lump it, no real choice vote.

Suella Braverman: The Government will present to both Houses of Parliament the terms of the withdrawal agreement as agreed between the EU and the UK. We will also present the terms of our future economic partnership. There will be considerable opportunity for scrutiny of the terms of our final deal, and the motion will be presented to both Chambers. That will provide Parliament with the opportunity to accept or reject the deal—there is nothing more meaningful than that.

Peter Grant: On 25 April, the Secretary of State gave evidence to the Exiting the European Union Committee: Its Chair, the right hon. Member for Leeds Central (Hilary Benn), was trying to tease out what the timing was likely to be and, in relation to the details of the final deal, the Secretary of State told us:

“We will know all of it, to the very last bits of the negotiation, way before we are in a position to put it to the House.”

Will the Minister clarify the Government’s present thinking on timescales? When can we expect to get that detailed statement on what the final deal will look like and on what date does she expect to put that to the House for a vote, so we can have an indication as to how many days, weeks, hours or minutes we will have for consideration before that?

Suella Braverman: We have been very clear, as has Michel Barnier on behalf of the EU, that we hope that by the time of the October European Council we will be in a position to have a full withdrawal agreement agreed between the EU and the UK, and detail on the terms of our future economic partnership.

Tom Brake: Will the Minister give way?

Suella Braverman: I will not, because I am running out of time and the hon. Member for Blaydon needs time to respond. When the vote is held, it will cover both the withdrawal agreement and the terms of our future relationship. We expect and intend to achieve a deal that Parliament will want to vote in favour of. Again, I am confident that a deal that hon. Members will be able to support will be presented to Parliament. At the end of the day, it is mutually beneficial to both the UK and the EU to strike such a constructive economic partnership, one that supports our businesses, our citizens and our countries.

The choice that will be offered is not whether we should stay in the EU. We have had that debate. We have heard those arguments. This year is not the time to look into that issue again. This choice is in line with what the European Parliament is entitled to: a yes or no vote on the final deal.

The Government’s approach, which I have set out today, will not doubt disappoint those who have signed this petition, but that should not be misrepresented as ignoring their views. It should be understood as respecting the view of the majority of voters, who chose to exercise their democratic right in a referendum made possible by Parliament, on terms agreed by Parliament. For those who say a vote under the Government’s approach is not meaningful, I ask: what more meaning can there be than to show that Parliament will faithfully enact a decision that we trusted the public to make?

6.31 pm

Liz Twist: It is my pleasure to respond on behalf of the petitioners to some of the points that have been made. I start by thanking the many right hon. and hon. Members for their contributions to the debate. I thank the right hon. Member for Carshalton and Wallington (Tom Brake), the hon. Members for Bolton West (Chris Green), for Bath (Wera Hobhouse), for Gordon (Colin Clark) and for Glenrothes (Peter Grant), and my hon. Friends the Members for Oxford East (Anneliese Dodds), for Hornsey and Wood Green (Catherine West), for Stroud (Dr. Drew), for Coatbridge, Chryston and Bellshill (Hugh Gaffney) and for Sheffield Central (Paul Blomfield).

We have had a wide-ranging debate, not always on whether Parliament’s vote must include an option to remain in the European Union, but certainly reflecting the importance of the decisions that we are about to make on Brexit and its importance to our communities. It has been valuable and relevant to have that debate; the fact that we have this petition reflects the concerns of people on the ground.

The petitioners had asked to have a vote that would allow a remain option and was not just, “Take it or leave it.” The petitioners were clear that they want
Parliament to have an option to remain. Sadly, I fear that, following the Minister’s response, it is now clear that that will not happen and that the vote will indeed be, “Here’s the deal; vote on it—whether you like it or not.” I suspect that the petitioners will be disappointed with the Government’s response.

To paraphrase the hon. Member for Bolton West, the best thing for us to have is a good deal. I think we can all agree on those words, but it is more difficult for us to agree what is a good, or a good enough, deal. That is the crux of the problem. We have heard that the Government amendment does not go far enough to address the concerns about a meaningful vote.

The Minister said she was concerned about the pessimism she has heard. I would say that it reflects an intense interest in the wellbeing of our country and our future development. I do not think it should be taken as pessimism, but as a sign of the vibrant interest from both the petitioners, all 113,000 of them, and Members of this House in ensuring that we have a deal that best reflects the interests of our country, and that we go forward on that basis.

To conclude, I remind the Chamber that the lead petitioner, who was here today—I think she may have run out of time, but she was here to hear much of the debate—was clear that the petition was about having a remain option. I am sure she will be disappointed. I hope she will be heartened by the shouting we heard a few moments ago outside the window, which to my ears said, “Stop Brexit!”; perhaps she can take comfort from that.

Question put and agreed to.

Resolved,
That this House has considered e-petition 205169 relating to Parliament’s vote on the deal for the UK’s exit from the EU.

6.35 pm

Sitting adjourned.
Westminster Hall

Tuesday 12 June 2018

Coastal Erosion

9.30 am

Kirstene Hair: I beg to move, That this House has considered coastal erosion.

It is a pleasure to serve under your chairmanship, Sir David. The future of Britain’s coastline, and of our coastal communities, is finally getting the political attention that it deserves—not a moment too soon. From the need to curb plastic waste to prevent environmental damage to our shores to the opportunities that Brexit presents for reviving our long-struggling fishing communities, Britain’s coasts are coming to the forefront of the political agenda. I am glad, because if our coastal communities are to benefit from this renewed focus on their future, we need to act now to ensure that they have a future.

Coastal erosion threatens large parts of Britain’s coasts and puts houses, businesses and entire communities at risk of flooding or, in some cases, total destruction. Many hon. Members will be familiar with this issue, as coastal erosion threatens about 17% of the UK’s coastline, specifically along the east coast. The Environment Agency estimates that more than 700 properties in England could be lost to coastal erosion by the 2030s, while in Scotland, erosion is believed to pose a risk to a fifth of the coastline and the erosion rate has doubled since the 1970s. In 2013 and 2014, storms and extreme tides caused erosion that experts believed would never happen, but it has happened, and even quicker than they thought as it occurred almost overnight. Businesses and individuals are increasingly concerned about the impact of the increasingly rapid degradation of our coastline.

Our coasts are vital areas and hubs of economic activity. As well as the obvious tourism draws, they are home to much of our crucial infrastructure. In Scotland, the soft coastline, which is about 19% of the total, and which is most at risk, includes roads, railways and Scotland’s water network. There are 30,000 buildings, 100 km of railway lines, 1,300 km of our roads and a large amount of cultural and natural heritage located near to potentially erodible stretches of the Scottish coast. They could come under threat if erosion rates continued to increase in the near future.

Sir Henry Bellingham: I congratulate my hon. Friend on securing the debate, which is important to communities in my constituency such as Pennan, Crovie, Gardenstown and Rosehearty, which to some extent have all suffered coastal erosion or flooding recently. In England, there is a dedicated scheme that local authorities can bid into for funding to combat coastal erosion. In Scotland, there is no such dedicated fund, and local authorities must decide how to fund such works from the overall funding they receive from the Scottish Government. Does she agree that it would be better if Scottish local authorities also had access to such dedicated funding?

Kirstene Hair: I absolutely agree with my hon. Friend. Scotland’s coastal erosion government has put such scathing cuts on all our local authorities—indeed, Angus has taken one of the biggest hits—that there is no way they can expect them to fund millions of pounds to secure our coastlines. I agree that they need to take further action.

Erosion is a pressing issue in my constituency, as in many other areas of the United Kingdom. Like most of Scotland’s east coast, Angus has experienced a large increase in erosion since the 1970s. Hon. Members know that they have a big rural issue when “Countryfile” pitches up in their constituency. The BBC recently covered the incredible acceleration of Montrose’s erosion in a piece that alarmed viewers across the United Kingdom.

Montrose is one of the largest towns in my constituency, with a population of about 13,000, and it is particularly threatened. The Montrose golf links, one of the oldest golf courses in the world, is literally being washed away by hole by hole, green by green. That vital part of Montrose’s local economy—a piece of history that has survived for 456 years—is slipping away before our eyes.

The course loses 1.5 metres of land to sea every year. The second, third and sixth holes have already had to move since last summer. That cannot go on forever—it probably cannot even go on for another decade. At this rate, the links will run out of space at some point and will have to relocate entirely. Action is needed to save this historic and beautiful course, which is economically important and a valuable piece of Angus’ cultural and sporting history, for future generations. In 1999, GlaxoSmithKline invested in rock armour for a stretch of the coastline, for which the local area was incredibly grateful, but we cannot continue to lean on private businesses for that type of infrastructure, which costs millions of pounds.

In Montrose, we also have the booming port authority along the shoreline, which is already feeling the financial strain of coastal erosion. It was previously dredging 60,000 tonnes of sand per annum, which has now reached 150,000 tonnes—a marked change in five years.

The flooding aspect of erosion can often be overlooked, but it remains a real threat in Angus. We know the economic, cultural and personal damage that flooding can do to a community, if we think back to the flooding that we saw wreak havoc across Scotland in early 2016. The disruption, the clean-up operation, the rebuilding
of infrastructure, the reconstruction of defences and the insurance claims all came at huge cost to the local and wider economies. Failure to act and invest in proper defences for coastal communities is not only wrong; it is a false economy.

I am glad that, since 2010, the UK Government have spent £3.2 billion on flood and coastal erosion risk management, as opposed to £2.7 billion in the five years before that, which is a real-terms increase of 8%. Those figures show that there is action from the Government, not just words. That is the sort of long-term, real-terms increase that we need if we are successfully to tackle coastal erosion. I hope that the UK Government will not only maintain but redouble their commitment in this area, and that the Minister will provide more clarity on that.

The Government also need to work with local authorities, the Environment Agency and others to ensure that the approach to erosion is well funded, proactive and, most importantly, ambitious. We need constantly to look 10, 20 or 30 years ahead with a long-term strategy, as opposed to short-term fixes that do not serve our communities.

Sadly, I have found the Scottish Government lacking in ambition in this area. Their enthusiasm for centralisation is renowned, but in this instance, it has left the local authority, Angus Council, with fewer resources and more responsibility. Unlike England, the funding model means that Scottish local authorities receive no dedicated funding, and coastal defences must come at local authorities’ expense. At a time when Angus Council has been forced to find budget savings of a staggering £40 million by 2021—one of the largest cuts to any local authority across Scotland—it simply cannot take any more financial strain from the Scottish Government, if we want to ensure that our frontline services remain in place.

Hannah Bardell (Livingston) (SNP): I congratulate the hon. Lady on securing this important debate, but I have to take issue with some of what she says. The council in her constituency is Tory run and it has not used the full amount of money allocated to it for coastal erosion by the Scottish Government. Billions of pounds are being cut from the Scottish Government’s budget by her Tory colleagues. Perhaps she will address those issues.

Kirstene Hair: The Scottish Government funding—I will come on to that in a little more detail later—goes nowhere near far enough towards trying to address the problem in Angus. In fact, there have been numerous letters to the Cabinet Secretary, who is the hon. Lady’s colleague, to suggest that we need more funding in Angus, but the responses have been filled with empty words.

The fund that the Cabinet Secretary announced was the same old Scottish National Party announcement—an all-singing, all-dancing fund—but the Scottish Government have not detailed the amount of money in the fund, nor have they detailed how Angus can benefit from it. However, I will indeed go into that matter in more detail later.

Significant dedicated erosion funding must be put in place, such as the UK Government’s flood and coastal erosion risk management schemes in England. The issue is important and specific enough not to have been put under the umbrella of flood risk management. At a time when the Scottish Government should be looking at ways to boost Scotland’s poor economic growth rate—I say that on the basis of their appalling current record—they should be doing all they can to protect the economic potential of coastal Scotland from slipping beneath the waves.

Mr Bob Seely (Isle of Wight) (Con): I am so grateful to my hon. Friend for giving way and for securing this debate. Does she realise that I fully support her call for erosion funding and I will be seeking a meeting with the Minister on this issue? The most significant ground instability problem and the largest occupied landslip in the United Kingdom is the undercliff on the Isle of Wight. Part of the road there gave way, and it has done so many times, lastly in 2014. My problem is that the council is unwilling to invest in rebuilding that road unless we can understand better and at reasonable cost the water flows underneath that part of our coastline. Therefore, we need projects such as the coastal erosion fund to give us the funding to understand some of these more geologically sensitive parts of the United Kingdom.

Kirstene Hair: I thank my hon. Friend for his intervention and I absolutely agree. There are huge studies going on in my constituency as well, because we need to do the groundwork, but we also need to have the funding ready for when those studies complete, so that we can go ahead with the work that needs to be done.

Of course, when it comes to coastal erosion, the waves do not respect local authority boundaries. Erosion affects areas up and down the coastline and different local authorities face common and related problems. This is not something that should be left to local authorities alone; there is space for a much more joined-up approach to erosion at all levels of Government. However, such action must also be timely. I do not want to see Montrose ending up as a cautionary tale for other parts of the coastline.

Unfortunately, the Scottish Government are risking that happening by leaving the implementation of further solutions to the 2022 to 2028 six-year plan for flood risk management. Angus cannot wait until 2022, or until any time between 2022 and 2028. Even by 2022, swathes of the Angus coastline will have been lost. The risk of flooding and erosion to Montrose, Arbroath and other coastal communities in Angus will be even more serious than it is today, and existing defences are being put under increasing and unbearable strain.

It is the responsibility of local authorities, the devolved Administrations and the UK Government alike to start working together on the issue as a matter of urgency, so that we can quite literally hold back the tide that threatens so many of our coastal communities. The Government are due to publish their updated national flood and coastal erosion risk management strategy next year, and within that I ask the Minister to consider ways to make that work happen, ensuring that everyone involved in protecting our coasts around the whole UK is working effectively together.

Will the Minister ensure that the dedicated funding is available from Montrose to Margate? If the Scottish Government cannot support my constituency, can Scotland’s other Government step in, once again, to help?
Coastal erosion and the associated issues warrant their own fund, and such a fund must not work as slowly as the flood risk management strategies. In Angus and across Scotland, erosion is happening fast and we need a scheme that operates more quickly than on a six-year cycle.

I hope that the Scottish Government will take these suggestions seriously and give communities fighting erosion the renewed and dedicated support that they need, but what about the individuals and businesses who cannot be helped, or who do not get the help they need in time? They deserve our support too, and I ask the Minister to consider a form of compensation scheme for those who lose their property or land to erosion. It is only right that those affected by erosion get help to rebuild or relocate, and such a scheme would help to cancel out the deterrent effect of the threat of erosion if people considering moving to or investing in a coastal community had that reassurance.

No such scheme exists anywhere in the United Kingdom and it is my hope that sooner rather than later we get such support in place—not only in Scotland, but in all parts of the United Kingdom.

John Lamont (Berwickshire, Roxburgh and Selkirk) (Con): My hon. Friend is speaking passionately about this important issue. Is she aware of the economic impact that flooding can have? A number of businesses in my constituency have been affected by flooding and have then been unable to get insurance for their premises, so they now face relocating to another part of Scotland just to allow them to continue doing business—not because they have been directly affected by flooding, but because insurance companies are no longer able to provide them with insurance on competitive terms.

Kirstene Hair: I absolutely agree with my hon. Friend and hope that the Minister will take seriously my call for this kind of compensation scheme, which would help constituents in the borders, in Angus and indeed across our United Kingdom in areas that are prone to flooding.

Kirsty Blackman (Aberdeen North) (SNP): Will the hon. Lady give way?

Kirstene Hair: I am running out of time. I have just a little of my speech left and we have a huge number of Members who want to speak.

Our coastal communities are thriving areas and we must do everything we can to support them. To do that, we must act on erosion and act quickly to secure their future not only to protect our coastline from erosion, but to eliminate, as far as possible, the looming threat that erosion poses. So let this be a call for ambition, co-operation and urgency—from the Scottish Government, in particular, but also from the UK Government, the other devolved Administrations and our local authorities. We should all be invested in the bright future of our coastal economy. Let us not allow erosion to spoil it.

Several hon. Members rose—

Sir David Crausby (in the Chair): Order. I intend to call the three Front-Bench speakers at 10.30, but a number of Members wish to speak, so, if Members keep their contributions to about four minutes, we will have a chance of getting everybody in.

9.46 am

Jim Shannon (Strangford) (DUP): Thank you for that, Sir David. Four minutes? What a challenge.

I thank the hon. Member for Angus (Kirstene Hair) for bringing this matter to Westminster Hall for consideration. I am very happy to support her, as she knows. I am glad to say that I come from what I believe to be one of the most beautiful constituencies in the whole of the United Kingdom of Great Britain and Northern Ireland—Strangford. I am privileged to live in the heart of the Ards peninsula, on the family farm. Every morning, I wake up and look over at Strangford lough, and I am very aware of the beauty of the area. I see the sun glinting off the water; I see the mountains of Mourne in the distance and I am always very conscious of the wonder of God’s creation.

At the same time, the sun glinting off the water alerts me to the issue of coastal erosion. The water may seem somewhat pretty at times, but the fact is that our coastline is crumbling away under our feet, under the foundations of our homes and under our coastal roads. Our foundation is crumbling and we must do something to address that. The issue is not a new one. I will give a Northern Ireland perspective, to show where I am on it. When I wore my former hat as an Assembly Member, I spoke about it in the Northern Ireland Assembly and things have naturally worsened since then.

Most recently, I read an article that referred to a report by the National Trust that had been commissioned on the issue of coastal erosion, which stated the shocking view that:

“Northern Ireland faces major risks from coastal erosion and marine flooding but ‘lacks basic information’”— those are the very things that the hon. Member for Angus referred to—

“to deal with them.”

The article went on to say that the National Trust “manages 108 miles of coast in the north, reveals that 46,000 properties are at risk from river or marine flooding, while recent stormy winters have had ‘major impacts on coastal residents’.

Climate change and rising sea-levels are leading to flooding and coastal erosion, the report found. The charity has called for a ‘strategic approach to shoreline management’ to address the challenges of marine flooding and erosion…saying at present it is ‘reactive and poorly structured’”.

That is exactly the problem that our region, like other regions, faces and it is something we are concerned about.

Sir Henry Bellingham: The hon. Gentleman talked about shoreline management. Does he agree that there is a major role for the private sector to contribute, working in partnership with local authorities?

Jim Shannon: I thank the hon. Gentleman for his intervention and I totally agree with what he has said. Northern Ireland has a lack of information about how its coast works—the rates of change, the sources of coastal material, patterns of sand movement, the impact of storms and post-storm recovery—along most of the coastline. Those are the issues for us when it comes to coastal erosion.

Mr Gregory Campbell (East Londonderry) (DUP): Does my hon. Friend agree that some parts of our Northern Ireland coastline are not only very scenic and beautiful, as is the case in parts of Scotland, England
and Wales, but are most majestic and historic? Does he agree that those parts of it that are at risk really need to be safeguarded and that we need both private sector and Government action to do that?

Jim Shannon: I thank my hon. Friend and colleague for his intervention, and I wholeheartedly support the things that he has put forward.

The National Trust’s report called for a “strategic approach” and it also “predicts that rising sea-levels will re-shape the north’s coastline.” It states that:

“These changes will affect existing and new infrastructure and will result in more frequent flooding and a general tendency for shorelines to move landwards that will be experienced as erosion.”

That was also made clear by the hon. Member for Angus. The report goes on to state that the length of the “strategic road network” that is at risk will increase by 28%—a significant figure.

The storms in Northern Ireland have meant that Transport NI has seen its costs rise by some £800,000. In my constituency, the road replacement at Whitechurch Road in Ballywalter cost £280,000, the damage to Shore Road in Ballintoy cost £36,000, and to Roddens Road £86,000, and there were road repairs at Portaferry Road in Ards, Greyabbey and Kircubbin. The total came to £800,000, which is almost the full budget of the local Transport NI section in Newtownards. What was a once-in-18-years or once-in-20-years occurrence is now a once-in-three-years occurrence. Frustration reigns when Transport NI, the Department of the Environment, the Northern Ireland Environment Agency, the Rivers Agency and the Department of Agriculture, Environment and Rural Affairs either cannot or will not accept responsibility for damage to property and take preventive measures to prevent flooding.

I accept that the matter is a devolved one, but I want to illustrate the problems, which the hon. Member for Angus put forward clearly. At Saltwater Brig in my constituency, many houses and businesses have been damaged by high tides, with insurance claims in excess of £100,000. As the result of flooding due to coastal erosion becomes commonplace, we can no longer use sticking plasters to address the issue. The impact on the local community includes accessibility to the road network, the effect on community life and the tourist potential that is yet to be realised—a potential that could deliver more jobs if the road structure and coastal erosion issue were addressed. The House must establish a strategy for the coastlines of the UK. The hon. Member for Angus knows that the matters are devolved, but she looks to the Minister for a response, as do I.

We have a duty to protect people’s homes and livelihoods, their connectivity to urban areas and, most importantly, our incredibly beautiful coastlines that are unparalleled anywhere in the world. We must work now to preserve them for the future. A joined-up approach is necessary. We look to the Minister, as always, to give us the help we need in Northern Ireland and, in particular, in my constituency.

9.51 am

John Lamont (Berwickshire, Roxburgh and Selkirk) (Con): It is always a pleasure to serve under your chairmanship, Sir David.

I commend my hon. Friend the Member for Angus (Kirstene Hair) on securing this important debate. She is a tireless champion for Angus on a number of local issues and this morning she has again demonstrated what a strong voice she is for her constituents. In Berwickshire in my constituency, we do not have the same coastal erosion problems as in Montrose and other parts of Angus. However, the coastline remains vulnerable and I want briefly to mention some of the challenges we face.

I would argue that Berwickshire has some of the finest coastline in the United Kingdom. Anyone who has taken the east coast main line will have been impressed by the Berwickshire coastline north of the border. The communities of St Abbs, Coldingham and Eyemouth, and Cove all have spectacular views of sea cliffs, fantastic beaches and the wide-open North sea. The 28-mile-long Berwickshire coastal path from Cockburnspath in my constituency to Berwick-upon-Tweed has, at Tun Law, the second highest cliffs on Britain’s east coast and some internationally important habitats for sea birds, coastal flora and marine life. We also have one of the world’s most famous geological sites, that of Siccar point. It is an example of a Hutton’s unconformity, which led the founder of modern geology, James Hutton, to conclude that the Earth was much older than was widely believed in the 18th century. From the beautiful Pease bay to the spectacular St Abbs’s Head and Coldingham bay, this stretch of coastline deserves to be looked after and cherished, in the same way as those in other parts of the United Kingdom.

We are lucky in Berwickshire that, because the cliffs are mainly of hard rock, they are more resistant to weathering. However, the softer cliffs at Lower Burnmouth and Cove are under threat. Local erosion through the use of the coastal paths, as well as residential and recreational development, may threaten maritime cliff and slope habitats as well as coastline stability. Parts of the coastline are also vulnerable to flooding, particularly around Eyemouth, where damage to properties has occurred four times since 2012—just last March, a flood warning was issued. The town is lucky to have an extremely well organised community group, the Eyemouth response team, who respond efficiently and professionally to emergencies such as flooding. They were in action at the beginning of the year and, astonishingly, were able to put up flood barriers at the end of the harbour in just 20 minutes.

The Scottish Borders Council manages the Berwickshire coastline well, including maintaining and protecting the coastal path and working alongside Edinburgh Council on the Forth estuary local flood risk management plan. However, I agree that the Scottish Government must step in. In recent years, the choice of the Scottish National party’s Administration in Holyrood has been to slash local authority budgets across Scotland. Since 2013, the Scottish Government’s revenue budget has fallen by 1.8%, but the SNP Administration have chosen to pass on a much larger cut of 7.1%—£744 million—to local councils, including those in my constituency in the Scottish borders and that of my hon. Friend the Member for Angus. Councils simply cannot be expected properly to protect their coastline without additional support from the Scottish Government, and I commend my hon. Friend for her efforts to put pressure on them. I hope that the UK Government will be able to assist too, in doing more to protect our beautiful coastlines.
9.55 am

**John Woodcock** (Barrow and Furness) (Ind): It is a pleasure to see you in the Chair, Sir David. I, too, congratulate the hon. Member for Angus (Kirstene Hair) on securing the debate.

I want briefly to talk about the serious issue of erosion on the island of Walney, which is just opposite Barrow-in-Furness. That strip of land is connected to the mainland by a bridge. We have wanted a second bridge for many generations, but Walney could need one in a way that we had never anticipated, because it is quite possible that unless action is taken, the island will be split in two by the serious erosion that is taking place—similarly to in other areas across the country—far faster than any study has predicted.

There are two main issues, one in the north of the island and one in the south. In the north, there is what is officially known as West Shore caravan park. The name might suggest that it is a transient part of the visitor economy, but people have bought static caravans there and live in a community. They have seen the erosion getting closer and closer to their homes, threatening several hundred properties. For many years, we have beseeched the Government and looked to the local authority, and potentially to private investment, but the issue remains critical. In the main, the park provides homes for low-income and often elderly, retired people. They are afraid of what nature is doing and fear for the homes they had always dreamed of having on the coast.

On the south of the island is South Walney nature reserve, which is home to Cumbria’s only grey seal colony and to the Walney geranium, which is unique to the island. There is a rare vegetated shingle patch, and the yellow horned poppy, which I am reliably told is hard to find, is grown there. The reserve is an invaluable resource for Barrow’s schoolchildren. Teachers in some of the schools tell me that many children have never seen the natural environment until they are taken to such places. The reserve is connected by a road that is in desperate need of rock armouring. Without such flood and coastal erosion protection, there is the potential for the island to be cut in two and for the nature reserve to be rendered impassable.

As if all that were not enough, it is not simply about saving the yellow horned poppy; the nation’s continuous at-sea deterrent may be at stake for the want of a single road that could be rock armoured for, the landowner tells me, only £200,000. We are in the process of spending about £30 billion on renewing the nation’s deterrent—probably only be at the cost of many hundreds of millions of pounds—certainly if the nature of it were to change. A preventive measure would be simply to put in the rock-armoured road, which would protect the nature reserve and the caravan site to the south, and keep our nation safe from the potential for nuclear blackmail. That has to be good value. As a first step, I urge the Minister to consult his colleagues at the Ministry of Defence to see whether we can get an official study into the nature of the threat to the channel and the potential blocking of submarine access.

10.1 am

**Gillian Keegan** (Chichester) (Con): It is a pleasure to serve under your chairmanship, Sir David. I congratulate my hon. Friend the Member for Angus (Kirstene Hair) on securing this important debate and highlighting the risk to all our coastal communities.

Many of my constituents are lucky enough to live by the sea, with beautiful views and a vibrant tourism economy. The Chichester constituency is home to some of the UK’s most beautiful beaches and diverse marine ecosystems, but with those privileges comes a great deal of risk. Coastal erosion and flooding are a constant threat to many areas. Over the past century, we have observed a global mean sea level rise of 20 cm and that trend is set to continue over the coming years, according to the Intergovernmental Panel on Climate Change. To contextualise that, just a 50 cm rise in local sea levels would make 200 km of our current defences vulnerable to failure. Under the IPCC’s modelling, that is within the range of likely outcomes by the end of this century.

In my area, Chichester District Council is doing well to tackle the symptoms, if not the cause. It maintains the majority of the populated open coastline that stretches from Emsworth to Pagham. The council has shoreline management plans in place for each stretch of its coastline. Its work is highly collaborative and transparent, and by working with local stakeholders and the Environment Agency, it ensures that its work benefits the area’s economy, community and ecosystems.

**Sir Henry Bellingham**: My local council has similar policies in place, but there is a real problem coming down the track with the disappearance of the revenue support grant. When that goes, there will surely have to be some form of top-slicing or maybe a ring-fenced precept for local authorities such as my hon. Friend’s and mine.

**Gillian Keegan**: I agree. My local authority is very concerned by negative RSG, not just the disappearance of RSG. Negative RSG would mean having to pay more to support other areas.

The council’s collaborative work has achieved high levels of third-party investment and led to better coastal protection. My hon. Friend is right that we need to properly fund our coastal areas. At East Head and at Pagham harbour, coastal advisory groups run the UK’s only two active management sites. Both sites have a highly dynamic coastline, so predicting erosive and flood patterns can be very challenging. Active management
involves long-term monitoring and observation to ensure interventions are effective and in tune with the natural processes.

The regional coastal monitoring programme, based in Southampton, is key to that process, providing data on waves, tides and the changing nature of the coastline. Armed with that data, the group can make decisions on interventions such as replacing or removing failing structures or replenishing beach sediments. Such is the success of the programme that natural changes at Pagham since 2016 have removed the threat to residents in the short term and introduced an intertidal wetland habitat that is now a Royal Society for the Protection of Birds nature reserve.

The council receives a grant of £250,000 a year. That funding allows it to protect people, business and habitats. Over recent years, the Environment Agency has invested a further £30 million as part of its flood and coastal erosion risk management at Medmerry, where the UK’s first managed realignment site is ongoing. West Wittering, where erosive processes are mitigated to maintain the beach, attracted around 800,000 visitors last year, driving the local economy and simultaneously helping protect the internationally important saltmarsh environment sheltered by East Head spit.

There is still significant concern in my area, however. In the long term, the council has warned that highly populated areas such as Selsey, Bracklesham and East Wittering will eventually require significant investment.

Bob Stewart: I know West Wittering; it is a fabulous beach. Knowing it quite well, I wonder how the heck it is not yet a Royal Society for the Protection of Birds nature reserve.

Gillian Keegan: That is the point of the debate; we have to do something about it, because no one would want to see the disappearance of such an important stretch of coastline or the nature reserves we have in the area. My hon. Friend is right that we have to focus on low-lying areas, but protecting the Chichester constituency coastline and the south coast will be increasingly important.

As an area, we must continue to invest in our coastal infrastructure. We look forward to the larger investment that will be required alongside our innovative approaches, such as managed realignment and active management. It is true that we cannot do it alone. We require further investment from the Department.

10.7 am

Hannah Bardell (Livingston) (SNP): It is a pleasure to serve under your chairmanship, Sir David. I congratulate the hon. Member for Angus (Kirstene Hair) on securing this debate, despite her tone at times and some of the substance, with which I did not agree.

Members may question why the Member for Livingston is taking part in a debate on coastal erosion. I do not have any coastline in my constituency, but I spent six years of my professional life in the north-east of Scotland in Aberdeenshire and Aberdeen, and I saw the impact of coastal erosion on that area. I worked for Alex Salmond, the former Member for Gordon and for Banff and Buchan. One of the first things I dealt with in my time as his office manager was the flooding in Pennan and the impact it had on that community. I spent most of the three years working for him in the community, working with the families there.

I will never forget the experience of going into the house of an elderly gentleman who lived there—many of the homes in Pennan are second homes; only a small number live in that very important community—and convincing him to leave because the back windows had dirt coming in and he was at risk of being crushed if he stayed in his own home. As the hon. Member for Angus rightly said, there are challenges in dealing with insurance companies.

There is no doubt that we have significant challenges in coastal erosion the length and breadth of Scotland and beyond, and it is vital that all the Governments of the UK work together. I want to set the record straight on what the Scottish Government have done. I hope the hon. Lady will be aware of the £42 million a year that the Scottish Government have made available via the capital settlement since 2008—that is, £420 million—to enable local authorities to invest in flood prevention and coastal erosion works. That is backed up by some of the things that my hon. Friend the Member for Aberdeen North (Kirsty Blackman) will mention, such as the marine protection monitoring and Scotland’s “Dynamic Coast” national coastal change assessments, which are being taken forward with various academic institutes across Scotland. As the hon. Member for Angus mentioned, there are challenges in dealing with insurance companies.

I am a surfer. I took it up when I spent time in the north-east of Scotland, and having surfed various coasts in Scotland and around the UK, I have seen the impact that coastal erosion has on those communities and the surfing environment. The mudslides that I saw in Pennan during my time working in the north-east of Scotland showed me how complex and difficult some of the issues are; in many cases, there are no simple fixes, or indeed fast fixes. The hon. Member for Angus talked about the speed at which some of these issues need to be dealt with. I agree with her in many respects, but, given the geography of her constituency and the impact that it has had, she will appreciate that sometimes the issues are not dealt with as quickly as we would like. They can be very complex. I remember various discussions with Aberdeenshire Council about whether it was going to put the rocks in casings or pin them back. A significant geological survey often needs to take place, and that can be complex and difficult.

The hon. Lady is a great champion of her own constituency, and I have no doubt she will take her case to the Scottish Government as well. I hope that we can work together and not get ourselves into an overly party political, partisan debate. As we go through the Brexit process, environmental policy and the funding that will be available for our Government and for the UK Government will be significantly impacted. We have yet to know the real impact.

I want to draw attention to the marine protected area monitoring strategy, which allows fishermen to support the monitoring and surveying of some of Scotland’s most vulnerable marine habitats and ensure that detailed information is collected from the MPA network to
create a more accurate picture of the health of marine environments. The Scottish Government ensured that we engaged as broadly as we possibly could and that those at the forefront of the issue—coastal erosion—are those who are monitoring it and reporting back.

Of the areas around Scotland that have been eroded, 40 metres to 60 metres of beach have eroded since the 1980s, and that rate will continue over the next 30 years. That is a significant challenge to a country that has one of the biggest coastal areas in Europe. Our SNP Government in Scotland is committed to taking on those challenges. I hope that the UK Government will work with our colleagues in Scotland and that, as we go through the process of Brexit, issues such as coastal erosion and protecting the environment will not be lost in the noise coming from that debate.

10.12 am

Sir Hugo Swire (East Devon) (Con): In following the hon. Lady’s speech just now, I am not certain as to which is eroding more quickly: the coastline of Scotland or support for the increasingly incompetent SNP Administration in Edinburgh.

I want to confine my remarks to a particular part of my constituency, one of the jewels in the crown of East Devon: Sidmouth, a regency seaside town well known to my hon. Friend the Minister. Sidmouth is at the gateway to the Jurassic coast world heritage site, and a large part of the town is in a conservation area. For years now, I have been working with various bodies and individuals in the town—not least the local councillors, Councillor Stuart Hughes and now Councillor Tom Wright—to try to resolve what has become an increasingly difficult problem, particularly for the residents of Cliff Road, overlooking Pennington Point, which has seen erosion year on year. Indeed, earlier in 2018 it was widely reported in the national press that Cliff Road was one of the most endangered roads in the UK, owing to coastal erosion.

We are very dependent on the south-west coastal path in Sidmouth. We have replaced the Alma bridge, but the various different schemes have gone on for too long. Over the years I have had Sir James Bevan, the chief executive of the Environment Agency, down to see the erosion. Andrew Sells, who is in charge of Natural England, has been down. I even had my right hon. Friend the Member for North Shropshire (Mr Paterson), who was then the Secretary of State for Environment, Food and Rural Affairs, come and look at it.

There are two issues at stake. One is the complexity of trying to get a satisfactory solution. It is a complicated engineering issue. Many different bodies are involved in the steering group: East Devon District Council, Sidmouth Town Council, local fishermen, the Environment Agency, Devon County Council, the National Trust and the Cliff Road Action Group. All of those groups have a rightful interest, but that has delayed the implementation of a scheme that can arrest the erosion that we see year on year.

The new scheme, the preferred scheme, for the Sidmouth beach management plan would see a new groynes wall installed on East Beach and a plan to raise the splash wall along the promenade. I am extremely nervous about the prospect of raising the wall along the promenade because we have seen what happened in the neighbouring constituency of Tiverton and Honiton: one can drive down the esplanade in Seaton and not actually see the sea. We would not want that replicated in Sidmouth. This part of the £9 million project would last around 100 years.

We now have a funding issue. East Devon District Council needs to raise £3.3 million, with the rest hopefully being secured from the Environment Agency. Work would begin in 2019 and be completed in 2020. When we look at the areas we can raise the money from, we see that we are left with either a local levy, the district council, Sidmouth Town Council, South West Water, local charities, visitors, East Devon housing, and residents. I humbly submit to the Minister that it is not satisfactory to try to leave a small local authority with a funding gap that will prevent the scheme from being realised.

Sir Henry Bellingham: My hon. Friend is being incredibly generous in giving way. My local authority has similar problems, but it faces a structural funding deficit. The Minister’s Department and the Ministry of Housing, Communities and Local Government must consider making some form of ring-fenced precept available to local councils, and perhaps there should be more contributions from town and parish councils inland.

Sir Hugo Swire: I agree with my hon. Friend that it is almost impossible to ask local authorities for large amounts of money to fill the gap because they all operate under very strict financial constraints now. Such schemes should not be held back by relying on the local authority to make up the difference, so I ask the Minister whether Bellwin can be extended. Can my residents of Cliff Road, who have found it impossible to get mortgages and increasingly difficult to get insurance as they see their gardens disappear, get a compensation package?

I hope that the whole area can be dealt with quickly. We need a masterplan for the whole Port Royal area along the esplanade, but there is no point in doing that until we have secured the Pennington Point and rock revetment scheme, because that would threaten the sewage works in the area, which could in due course flood the entire town.

I do not want to delay the debate unduly. The Minister is welcome to come to Sidmouth at any time to see the situation for himself. We are almost there now. This has gone on for so long. The scheme must be implemented. We cannot wait any longer. We have got people onside. We have got everything lined up now. I pay tribute to all those who have got this far, but we have a funding deficit and I ask the Minister to be creative in looking at the compensation issue for the residents of Cliff Road and also in helping with the funding that we need to get the scheme under way.

Several hon. Members rose—

Sir David Crausby (in the Chair): Order. If Members keep their contributions to three minutes, we will get everyone in.

10.18 am

Steve Double (St Austell and Newquay) (Con): It is a pleasure to serve under your chairmanship, Sir David.

I am honoured to represent one of only three constituencies in the country that has two separate coasts: the beautiful, rugged north coast of Cornwall
with its surf beaches and the south coast with its coves and ports. The Minister’s constituency also has that type of coastline.

I want to address the issue of planning. We are seeing more frequent and more severe cliff falls in Cornwall as a result of the weather. People’s gardens are being eroded and houses built on the cliff tops are threatened. There is an increasing trend in Cornwall for people to buy old properties and then apply for planning permission to build larger properties that invariably encroach nearer to the cliff edge. That is causing great concern, particularly in Newquay in my constituency. I pay tribute to Protect Newquay Clifftops, which has been campaigning for some time to try to stop that trend, which is not only spoiling the view of our clifftops, but putting those properties, I believe, at future risk as the erosion continues.

The national planning policy framework provides protection for coastal areas and clifftops, saying that plans should “reduce risk from coastal change by avoiding inappropriate development”.

I am delighted that our local authority, Cornwall Council, often refuses planning applications where properties would encroach on the cliff edge. However, all too often those applications go to appeal, and the planning inspector, who does not seem to have any local knowledge or appreciation of the situation that we face in Cornwall, allows the building to go ahead.

I know this does not come under the Minister’s portfolio, but I am aware that the Marine Management Organisation plays a particular role in, and is often consulted on, such planning issues. Perhaps there could be an increased role for the MMO in the planning process to ensure that cliff erosion and cliff falls, which take place much more frequently in Cornwall, are a significant factor in policy when planning applications are considered for construction on clifftops, particularly in such places as Cornwall. I am concerned that we are storing up trouble for future generations by allowing such developments to take place. If the cliff continues to erode, properties will be put at risk. I ask the Minister to look into whether there could be an increased role for the MMO in the planning process in our coastal regions.

Peter Aldous (Waveney) (Con): It is a pleasure to serve under your chairmanship, Sir David, and I congratulate my hon. Friend the Member for Angus (Kirstene Hair) on securing today’s debate. Coastal erosion is an important issue, threatening livelihoods, homes, environments and economies. In North Cornwall, we have a great number of assets along our Cornish coastline that make up our heritage and our economy. The coast itself is the reason people visit Cornwall and the wider south-west. They come for our beaches, fishing villages and fantastic food, and, importantly, our coast paths. It is important that we include in that the south-west coast path. That huge asset is a big economic driver for the south-west tourism industry as a whole, as well as North Cornwall’s. It is great to see the fantastic “Poldark” back on our TV screens regularly on Sunday evenings, showcasing the great south-west, with Poldark parading around on our beaches and our coastal footpaths.

The south-west coast path is 630 miles long. It is the longest national trail in the country, stretching from Minehead across the north coasts of Somerset, Cornwall and Devon, and heading back along the south coast all the way to Poole in Dorset. With breath-taking views and leisurely walks, the coast path is popular with locals, tourists, hikers and charity walkers alike. If coastal erosion progresses in Cornwall, the south-west coast path will be one of the first things to fall into the sea, threatening numerous local economies.

In 2012, the South West Coast Path Association and Visit Cornwall released figures showing that walkers who used the path spent £436 million in the local economy. That was an increase of 15% on the previous three years, and I have no doubt that those figures will have increased since 2012. It is therefore essential that we protect the coast path and this beautiful asset for generations to come.

Tintagel castle in my constituency is another asset that could be vulnerable to coastal erosion, and which contributes hugely to the North Cornwall economy.
Situated on Tintagel Island, the castle dates back to the 13th century and is linked to the legend of King Arthur. According to recent statistics, the castle was visited by a quarter of a million people in 2017—up by 70,000 over the past 10 years. That obviously creates huge tourism benefits for Tintagel and surrounding communities, and is an example of why we should take coastal erosion seriously.

Research shows that sea levels are rising, creating all sorts of challenges in coastal communities that we need to address robustly. That is why today’s debate is vital not only for Cornwall, but for other parts of the UK. I know mine has been only a small contribution, but the coast paths are vital to our economy. I know that the Minister cares about the issue because he has some beautiful coastline in his constituency. I hope that he will do all that he can to ensure that we protect this heritage asset for the future.

10.27 am

**Douglas Ross** (Moray) (Con): I congratulate my hon. Friend the Member for Angus (Kirstene Hair) on securing this extremely important debate. Moray has suffered from significant flooding over several decades. Millions of pounds have been invested in flood alleviation schemes in Forres, Elgin, Dallas, Newmill, Keith, Rothes and Lhanbryde, but none of those is a coastal community. Coastal communities, which suffer just as much as inland communities, feel neglected in our area. Portknockie, for example, suffered landslips just last year, and although I welcome yesterday’s announcement from Sustrans and Moray Council—in response to my correspondence—that work is being done to reopen a path between Portknockie and Cullen, I still have constituents living in homes at the top of a landslide, precariously close to the edge, who fear every day for their properties.

For 10 years before being elected to Parliament, I was a councillor on Moray Council. Part of my Fochabers Lhanbryde ward was the communities of Garmouth and Kingston. They have suffered more than most. Ross House, which 10 years ago was 150 yards from the River Spey, now has the river lapping against its walls. That shows how much coastal erosion there has been. Garmouth and Kingston golf course, like Montrose golf links in the constituency of my hon. Friend the Member for Angus, has suffered considerably. We have had a par 5 go to a par 4, and it is now a par 3 because so much of it has been washed away.

I welcome the fact that Garmouth and Kingston could be designated as potentially vulnerable areas under the new Scottish Environment Protection Agency scheme, but I was struck by the words of my hon. Friend, who said that too much time is spent on studies and not enough on action. I endorse that wholeheartedly.

Many studies, at my request, have looked at dredging, for example. Every time that I, as an elected representative, and communities say we should dredge the River Spey, people come back to us to say, “Well, no—you’ve got to worry about the flora and the fauna.” I am sorry, but I do not worry about the flora and the fauna; I worry about my constituents, who are living in fear every day that their house might be flooded, that they might be moved away or that they could lose property altogether. Some of the studies have to look at the real personal impacts of flooding and coastal erosion in their area.

I would finish with a quote from a lady from Garmouth who said, “We want action, not sympathy.” They are fed up with warm words from politicians of all Governments. What they want now is action from their Governments, whether that be the Scottish Government, the UK Government or local authorities, because they are living in fear of coastal erosion. It is only right that we as politicians stand up for them to get the changes they need and deserve.

**Sir David Crausby** (in the Chair): I ask the two Opposition Front-Bench spokespersons to divide up their time to give the Minister enough opportunity to wind up the debate and to allow the mover of the motion time for a brief response at the end. I call Kirsty Blackman.

10.30 am

**Kirsty Blackman** (Aberdeen North) (SNP): Thank you, Sir David. I will do my best not to take too long. I am grateful to you for chairing the debate, and I thank the hon. Member for Angus (Kirstene Hair) for securing it and the Backbench Business Committee for scheduling it.

This is a useful debate; it is clear that this is a serious and worrying issue with the potential for long-lasting devastating effects. The other point made clear today is that the issue is not the same in all areas. Just like the varied coastline throughout Scotland, England, Northern Ireland and Wales, the issues that each part of that coastline faces are different.

As my hon. Friend the Member for Livingston (Hannah Bardell) mentioned, the Scottish Government fund such issues on a recurring basis, with £42 million of capital funding per year since 2008. That is really important in relation to flood prevention and coastal erosion, which are linked.

**Douglas Ross**: I welcome the hon. Lady’s point, but the figure from the Scottish Government that she cites pales into insignificance when we take into consideration that the Elgin flood alleviation scheme alone cost £86 million. The funding coming from her Government in a year does not even fund half of that scheme.

**Kirsty Blackman**: The Scottish Government would have more money to spend on issues such as flood prevention and coastal erosion—

**Douglas Ross**: If they were not obsessed with independence.

**Kirsty Blackman**: The Scottish Government would have more money if Scotland was an independent country and we had the ability to raise our own taxes and, for example, support immigration and grow our population in the way that we would like it to grow. Immigration is important for coastal communities, particularly because of the people who have moved out of those communities. As my hon. Friend the Member for Livingston mentioned, many of the houses in Pennan are owned by second-home owners, not people who live there. We need to grow Scotland’s population so that people are living there and standing up for and protecting those areas.

The hon. Member for Moray (Douglas Ross) was very clear about how important it is that his constituents are protected, which I completely agree with, but I was
Concerned about his disregard for the flora and fauna that we also need to protect. A huge number of people have raised concerns about the effect of plastics in our oceans, for example, and I think many of our constituents would be hugely concerned about the impact on marine wildlife of any changes that are sought. That is why it is important that any decisions on protecting areas from coastal erosion are made with the best information, and why the Scottish Government have funded the national coastal change assessment. Phase 1 is completed and they are on to phase 2. Given the dramatic effects of climate change, and that coastal erosion is speeding up, it is incredibly important that any decisions are taken while looking at the current effects of climate change. It is an ever-moving feast and we need to have the best possible information before taking any decisions.

It was interesting to hear some of the issues hon. Members have with studies taking place. Angus Council’s study will not be finished until July 2019; the hon. Member for Angus is pushing for action right now, when the council has not completed its study. The other point that bugs me about that council is doing is that it has not committed to use the full funding it has been given for the purpose of protecting against coastal erosion. It takes a special kind of hypocrisy for a council to say, “We are not spending all of the money we have been given for this purpose, but we would like some more.” I do not think that is a sensible position to take. The case made by the hon. Member for Angus would be much stronger if the local authority could evidence that it had spent all the money it had been allocated in the correct way to protect against coastal erosion.

Further on funding, the Scottish Government have committed to putting their Crown Estates money towards the betterment of coastal communities, which will be a recurring amount of money provided to councils such as Angus. It would be useful if that council would commit to using the money for preventing coastal erosion, particularly in relation to the concerns around the golf links that the Lady raised and the erosion that is happening at some speed in that area.

I represent Aberdeen, with its beautiful beach that was immortalised in the mid-20th century railway posters as “the Silver City with the Golden Sands”. In 2006, action was taken in Aberdeen to protect our coastline from erosion and we now have what are called T-groins—large defences that ensure our beach is not washed away. It was good that that action was taken, but it did not receive universal buy-in when it was first put forward. People, not least the surfing community, raised a number of concerns. It has taken time for that to bed in and for us to be able to prove that it has not had the negative effects suggested.

One of the important things going forward with action on coastal erosion is to ensure that communities buy into it and that we are doing whatever we can to protect housing, properties and tourism, but also marine life. In Scotland, the marine litter strategy was introduced to protect housing, properties and tourism, but also marine life. We need to work together and we can all learn from each other. Action taken in some places in Scotland could be replicated in some places in England, and vice versa. We need to make sure that with any action we take to protect any of our coastlines, we are learning from the experiences of others and ensuring that those coastlines are protected for future generations.

10.37 am

Holly Lynch (Halifax) (Lab): It is a pleasure to serve under your chairmanship, Sir David. I join colleagues in paying tribute to the hon. Member for Angus (Kirstene Hair) on securing this debate and I thank her for a detailed and engaging speech, in which she outlined that 17% of our coastline is at risk of erosion, along with the infrastructure that is inseparable from those seaside communities. She told us that the second, third and sixth holes have already been relocated on the iconic golf course in her Angus constituency and she has done her constituents proud in making sure that their voices are heard in this debate today.

As the shadow Minister with responsibility for coastal communities, I agree that this debate is incredibly important. With rising sea levels and increasingly extreme weather, our coastlines are particularly vulnerable to the impact of climate change. Hon. Members will be aware that my own constituency, while entirely land-locked, experienced devastating flooding in 2015, and so I am all too aware of how increasingly extreme weather can impact on all of our lives.

We have heard some compelling speeches. The hon. Member for Berwickshire, Roxburgh and Selkirk (John Lamont) made a very important point about Flood Re and the Government’s failure to really get to grips with an insurance offer for flood-affected businesses. While Flood Re is working very well for domestic properties, we really do not have an offer together for flood-affected businesses. I hope the Minister will be able to offer some help to businesses and that this is not a problem put on the “too difficult to solve” pile.

My hon. Friend the Member for Barrow and Furness (John Woodcock) told us of the risks to Walney island in his area and talked of the risk of the unique biodiversity on the island being lost to the elements forever without intervention to protect it. The hon. Member for Chichester (Gillian Keegan) made a similar point about the nature reserves in her constituency. The hon. Member for North Cornwall (Scott Mann) spoke with passion about the coastline in his area, which has been showcased by the BBC drama “Poldark”—I confess, I am not sure everybody watches “Poldark” to admire the scenery in the background. We have heard about the challenges in Scotland, and we have heard from hon. Members representing coastlines all over the country.

It is always a pleasure to see the Minister in his place, but I join the hon. Member for Waveney (Peter Aldous) in wishing the Under-Secretary of State for Environment, Food and Rural Affairs, the hon. Member for Suffolk Coastal (Dr Coffey), a speedy recovery. She has a great deal of experience in this area, and will no doubt be watching this debate with great interest.
For a country of our size, the UK has an exceptional length of coastline, totalling more than 17,000 km. In contrast, the Netherlands has about 500 km. Although historically it has created opportunities for fishing, tourism and a variety of other economic interests, a significant proportion of our coastal landscapes are at risk of coastal erosion. About one third of the English coastline, and more than half of the coastline in my home region of Yorkshire and the Humber, is subject to erosion. Across the country, incredibly tough decisions are being taken about whether to hold the line or surrender it.

There is nothing new about coastal erosion; it has been taking place for millions of years. Waves and winds erode some areas, but can deposit matter elsewhere. The haunting story of what happened at Hall Sands in Devon in 1917—the entire village of 29 homes was lost to the sea within 48 hours—is a reminder of the power of the sea, and coastal erosion can be accelerated by storms.

Although coastal erosion is not a new problem, changing weather patterns and rising sea levels are creating new challenges. It is increasingly clear that what was once termed “exceptional weather” is occurring with worrying regularity. Although it is difficult to link any particular extreme weather event directly to climate change, the trend is clear. Last month’s unusually warm weather was officially classified as the hottest May since records began, and December 2015—just over two years ago—was the wettest month on record, and there was extensive flooding. Speaking after those floods, Professor Myles Allen, of the University of Oxford, summed up the new reality well:

“Normal weather, unchanged over generations, is a thing of the past. You are not meant to beat records by those margins and if you do so, just like in athletics, it is a sign something has changed.”

Current UK annual damages from coastal flooding are estimated to be £540 million per year, which will almost certainly increases with future sea level rises. According to the Parliamentary Office of Science and Technology, the global mean sea level has already risen 20 cm since the 1900s. POST also notes that the rate of the rise was 1.5 mm per year between 1901 and 1990. However, from 1993 to 2014, it rose an average of 3.2 mm per year.

It often feels as if we are only reluctantly facing up to the devastation that could result from sea level rises. The Committee on Climate Change warned that “for levels of sea level rise beyond one metre, which could occur this century, 200 km of coastal defences in England are projected to become vulnerable to failure in storm conditions”. It is clear that we are facing a challenge of the most serious kind, which requires big thinking and effective action. We know that there is a very human cost for those in affected areas. It is hard to imagine how difficult it must be for a person to give up their family home because it has simply become too dangerous to live there.

We also know about the threat to our sporting heritage. As we have heard, the Montrose Golf Links faces many problems. It is estimated that one sixth of Scotland’s golf courses are vulnerable, due to their coastal location. Ironical, Donald Trump’s Aberdeenshire golf course is also at risk of severe flooding, according to Ordnance Survey research, which predicts that the coastline next to the Trump International Golf Links resort will recede by tens of metres over the next 20 to 30 years. We look forward to seeing him still refuse to take action on climate change when his own golf course is underwater.

I hope the Minister can address a number of concerns shared by those living in coastal areas. I will be interested to hear his response to the Committee on Climate Change’s adaptation sub-committee report, published last June, which said:

“Sea level rise of more than one metre by the end of this century cannot be ruled out, and this would mean some communities in the UK would no longer be viable...Shoreline Management Plans identify areas where existing defences will become unsustainable or not cost-effective to maintain by the 2030s and beyond. This will have significant implications for some stretches of coastline, but the affected communities have not yet been seriously engaged in adaptation planning and need to, long before coastal defences become unsustainable.”

Given that the committee’s advice is so clear, what steps are the Government taking to ensure people living in those areas are aware of the risks and are planning for the future? Such conversations will always be difficult, but given the severity of the predictions and the actions set out in the management plans, people need to be clear about what is likely to happen.

Further to the point made by the hon. Member for St Austell and Newquay (Steve Double), according to the national planning policy framework, it is not appropriate to allocate permanent new residential development within an area susceptible to coastal change. Local plans identify that coastal change management areas as likely to be affected by erosion. The Minister may be aware that a National Trust survey found that in 2015, only 29 of England’s 94 coastal planning authorities had defined coastal change management areas. One third of the coastal planning authorities did not have such policies. Can the Minister update the House about the situation?

Has he been assured that all planning authorities in coastal areas are incorporating long-terms coastal erosion projections into their planning policies?

Further to the point made by the hon. Member for Angus, I am keen to see the next national flood and coastal erosion risk management strategy. Although flooding is the most common consequence of coastal erosion, the Minister will appreciate the very different challenges in addressing coastal erosion and inland flooding. I hope that is reflected in the funding and resources dedicated to those different but not unconnected challenges.

More broadly, we cannot ignore the relationship between extreme weather, climate change and coastal erosion, so I must probe the Government further on what they are doing to tackle carbon emissions. In recent years, the Government have sold off the Green Investment Bank and scrapped the Department of Energy and Climate Change, and new low-carbon investment is now lower than it was when they took office. It is therefore not surprising that the UK is now on course to miss its carbon reduction targets and its legally binding 15% renewable target by 2020.

I appreciate that energy policy is not directly within the Minister’s remit, but I am afraid to say that, since the demise of the Department of Energy and Climate Change, it look like climate change has not been mainstreamed across Government, but has fallen through the cracks. I hope the Minister will urge others in Government to treat this issue with the seriousness and urgency it deserves.
Coastal erosion is a huge concern along significant lengths of our coastline. With rising sea levels, significant parts of our coastline face being literally swept off the map. I am inclined to agree with the hon. Member for Angus that now is the time for long-term, joined-up thinking. I hope the Minister will respond to the points raised in this debate and assure us that the Government are serious about tackling climate change, defending our coastlines and, crucially, taking communities with them in facing up to these challenges.

10.47 am

The Minister for Agriculture, Fisheries and Food (George Eustice): It is a pleasure to serve under your chairmanship, Sir David. Like a number of other hon. Members, I congratulate my hon. Friend the Member for Angus (Kirstene Hair) on securing the debate. She articulated the problems facing her constituents in Montrose with passion, and was characteristically robust in the points she made. I am conscious that this issue affects many parts of the country, including my own, as my hon. Friend from various Cornish constituencies pointed out. It is good that so many Members turned up at 9.30 am to raise this important issue in the first debate of the morning when we might face a lateish night in this place.

As the shadow Minister pointed out, the Under-Secretary of State for Environment, Food and Rural Affairs, my hon. Friend the Member for Suffolk Coastal (Dr Coffey), would normally lead on this part of the portfolio. I am covering this debate because, as a number of hon. Members know, she is recuperating from a recent illness. However, she will be following the debate closely, as a number of hon. Members, including my hon. Friend the Member for Angus, would normally lead on this part of the portfolio. I am covering this debate because, as a number of hon. Members know, she is recuperating from a recent illness. However, she will be following the debate closely, as coastal erosion is an ongoing challenge for her constituency of Suffolk Coastal. I very much look forward to receiving a text from her later this morning, as often happens in this place.

As everybody is aware, responsibility for the management of coastal erosion is devolved to the Governments of the four nations of the UK. I will return later to some of what they are doing.

Coastal erosion is a natural process that always has and always will change the shape of our coastline, but change can be distressing for those living nearby. In March this year, we all saw the dramatic pictures from Hemsby when the “beast from the east” struck the coast of Norfolk. That county has a dynamic coastline, which has been retreating progressively over past centuries, but on that occasion the concentrated power of wind and sea eroded nearly 5 metres of shore along a 700-metre frontage, leaving 13 homes balanced precariously above the sea. Proactive management by the Environment Agency and the local council led to residents being evacuated by Great Yarmouth Borough Council. After the storm, 11 properties were demolished and, of the remainder, one property was saved by the owner rolling it back, and another needed only part of it to be demolished as it too was rolled back.

The key difference between fluvial flooding and coastal erosion is that, while still distressing, the impact of fluvial—river—and surface flooding tends to be temporary, while the impact of coastal flooding is terminal and carries much greater risk to human life. Of the £2.5 billion to be invested in flood defences between 2015 and 2021, nearly £1 billion is dedicated to coastal areas, reflecting how seriously we take that challenge.

Given my constituency, I understand people’s concerns. Cornwall has the longest coastline in England, at more than 1,000 kilometres, and the occurrence of coastal flooding is likely to increase threefold over the next 100 years. My constituency has both a north-facing and a south-facing coastline, and some of the exposed cliffs along the north coast have historical rates of coastal erosion of up to 40 metres in the past 100 years. They are likely to experience at least a further 40 metres of erosion in the next 100 years.

Sustainable coastal management needs to embrace change. I recognise that this debate was called on the back of a particular Scottish concern, in the constituency of my hon. Friend the Member for Angus, but this is a UK-wide matter and I feel that I should consider how we approach things in each nation, starting of course with England, where the Government set the overall policy and local councils lead on management of coastal erosion risk in their areas.

Earlier this decade, a significant decision was taken by the Government to recognise formally that we would not defend every part of our coastline from erosion. We devolved decision making to a local level, confirming what had already been happening in practice. That made the process for councils designing a shoreline management plan more meaningful. Such plans set out at a high level the policy framework to manage the risk of change.

Covering three time horizons—20, 50 and 100 years—the plans recommend four approaches to management: first, advancing the line, or moving defences out beyond the coast, which is used in some circumstances; secondly, holding the line, which means using either soft or hard defences to reduce or eliminate erosion; thirdly, managed realignment, where we accept the inevitable but manage the process, taking account of local geology and wildlife; and, finally, an approach of no active intervention, which allows nature to take its course.

Much of the debate has focused on whether the devolved Administrations are doing enough to support their councils. I shall say a little about what we do in England. To support our councils, the Environment Agency provides a national picture of what is happening on the coast. It has established national coastal erosion risk maps that provide a consistent assessment of coastal erosion risk around the country and set out a best-practice method for calculating that risk. The agency is also supporting a national refresh of shoreline management plans to ensure that they remain based on accurate information. There is also investment, which, inevitably, was a big feature of this debate.

We put significant investment into coastal erosion prevention. In England, between 2015 and 2021, our plans will see £885 million invested in projects to manage coastal erosion and better to protect communities against flooding from the sea. At the same time as the Government made the decision specifically not to defend the entire coastline, they also made the important decision that any scheme with a positive benefit-cost ratio could still receive some Government funding to support partnership funding locally. We also established corporation tax relief for businesses to contribute to such projects.
Our partnership approach means that schemes that would not have progressed in the past can go ahead if local funding can be found through the partnership model. Our £2.6 billion capital investment programme is expected to attract more than £600 million in partnership funding contributions on top of that.

In Norfolk, an innovative public-private project will provide protection for nationally important gas infrastructure and enhance protection for local communities.

Sir Hugo Swire: I hear what the Minister says about local businesses helping, but in a town such as Sidmouth, where the average local business is a small retailer already suffering under business rates and with lack of footfall on the high street, is it realistic to expect such smaller companies to contribute?

George Eustice: There will always be challenges in raising funding, but we are committed to the partnership model and projects that would not have been able to take place before we introduced those measures can now do so. I visited Sidmouth last year, so I am familiar with what my right hon. Friend highlights—his constituency has a beautiful, albeit quite hilly, footpath along the coastal road—but I am happy to visit his constituency again to look at those issues at first hand.

To complete my point about the innovative approach in Norfolk, we are seeing a technique called sandscaping, whereby 1.8 million tonnes of sand and gravel are deposited near the shore. That provides direct protection from storms and acts as a source for material to nourish beaches.

My hon. Friend the Member for Angus highlighted a comparison between the approaches to funding taken in Scotland and in England. The difference is that every year, despite budgetary pressures, we have increased funding on flooding, which is up from £399 million in 2010-11 to £502 million now. We have ring-fenced money specifically for coastal erosion, as she acknowledged.

This issue is devolved, so it is for each part of the UK to decide how to operate such matters, but it is complex and difficult, as hon. Members have pointed out, and we can all learn from each other, from the success or failure of the different approaches that we take. I am sure that the point she has made today will be heard by those in her constituency and, indeed, by the Scottish Government.

In those areas where defence from coastal erosion is neither practical nor economic, it is important that affected communities are supported and helped to adapt. That means anticipating the changes. Local authorities need sustainable approaches that reduce future burdens on communities, encourage a more positive approach and promote economic growth in a viable manner.

Finally, I want to touch briefly on the approach taken by the devolved Administrations. My hon. Friend raised the specific issue of Montrose, where up to 80 metres of coast could wear away in the next 50 years. In Scotland, the Scottish Government have concluded a piece of evidence called “Dynamic Coast: Scotland’s Coastal Change Assessment”, which was launched in August 2017 and identified some of the challenges ahead. I understand that Scotland has allocated a budget of £42 million a year to help local authorities with flooding and coastal erosion. In Northern Ireland, a gap has been recognised. The approach taken has been on the principles of the Bateman report, but, in the last Assembly, Ministers recognised the need for a more strategic approach to coastal management. They committed to work together on a baseline study, which is now under way. Last but by no means least, in Wales, I am aware that the Welsh Government have also made significant investments to improve coastal defence infrastructure over the past few years through new schemes.

To conclude, we have had a comprehensive debate covering many different issues and areas, with hon. Members raising issues relating to particular constituencies. It has been a pleasure to respond to the debate.

10.59 am

Kirstene Hair: I thank the Minister and all Members who have participated in the debate. I am delighted to have cross-party support on an important issue for our constituents and for our beautiful coastlines throughout the United Kingdom. Clearly, the UK Government and the devolved Administrations are called on to do more.

I want to clear up one point about Angus. The studies finish next year, so we need the funding to be ready and, indeed, we need enough funding—the funding promised has a question mark over it and is not enough to put my constituents out of fear. I shall continue to campaign for the Scottish Government to confirm and release the funding sooner, and I shall continue to campaign for the UK Government to see whether we can implement a compensation scheme, so that our constituents need not continue to live in fear if they live in a coastal community.

Question put and agreed to.

Resolved.

That this House has considered coastal erosion.
Care of Prisoners’ Children

11 am

Fiona Bruce (Congleton) (Con): I beg to move, That this House has considered care of prisoners’ children.

I will be considering the care of prisoners’ children following the sentencing of their parent. Are we doing all we can to support the wellbeing of children with a parent in prison, bearing in mind the traumatic impact that the detention of a parent can have on a child? It is estimated that more than 200,000 children a year are separated from a parent by parental imprisonment. About 17,000 of those children experience their mother’s imprisonment. Because women are more likely than men to be the primary carer, often children are suddenly separated from the closest relationship they have known in their lives. In up to 95% of cases, the children are suddenly without a parent or a home. I understand that there is no systematic recording or monitoring to support those children, so in many ways they are a hidden population.

The arrangements for the care of such children are often very informal, with the children being suddenly left with a relation, for example, whose life circumstances mean that they are ill prepared for the additional responsibility, with all the consequences that ensue for them and, importantly, for the children. One of the worst examples I heard was of a woman who was arrested in the middle of the night, but who was still nursing a baby. On the way to the police station, the police asked her, “Where shall we drop the baby off?”. She had to tell them a house where the baby was to be dropped off. That mother did not have the care of that child again for well over a year. That is a startling situation.

Before going into further detail about the impact on children and their carers, I thank Justice Ministers for their very positive response to Lord Farmer’s review, which was published last August, “The Importance of Strengthening Prisoners’ Family Ties to Prevent Reoffending and Reduce Intergenerational Crime”. The acceptance of the importance of maintaining family ties to the successful rehabilitation and reintegration of prisoners, which was implicit in the Government’s response to the review, was most welcome.

At the same time, it is important that we recognise that prisoners’ families, particularly their children, can experience severe difficulties following the imprisonment of a parent. Greater consideration of their circumstances and wellbeing would help to improve the likelihood of their parents’ better reintegration and rehabilitation. Importantly, it would reduce the risk of those children being imprisoned in later life. The statistics are devastating: some 60% of boys with a father in prison will end up in prison themselves. Staggeringly, I am informed that if they also have a brother in prison, that figure can rise to 90%.

We should take care of prisoners’ children not just to keep them out of prison, but to give them the best chance to make something of their lives when they have been placed in an extremely vulnerable situation at a young age. Research shows that prisoners’ children face significantly reduced life chances. They are less likely to be in education, training or employment in later life. They have an increased risk of mental health problems and substance abuse. The imprisonment of a parent can compound any pre-existing family problems that the child may have experienced or witnessed, such as domestic abuse, mental health issues or substance abuse.

Children who witness their mother’s arrest often experience nightmares and flashbacks. Separation from parents, particularly mothers, can be deeply traumatic for children and can result in the development of attachment disorders in young children. Children with a parent in prison may experience stigmatisation, isolation and discrimination, as well as confounding grief that is expressed in angry and aggressive behaviours. They may have no one at school with whom they can share their situation.

The emotional and physical stress after separation often requires intensive parenting, for which professional help and support ideally would be available, but often it is not. Family members who step in as carers at short notice are often unprepared for what their role involves. Often, they have to give up work to provide care. One grandmother explained: “emotionally, it’s terrible. It’s like they’ve changed so much, they’ve got behavioural problems. They weren’t like that before. Especially the little one who cries for his mum all the time.”

Understandably, those who take on such caring roles do not always do so willingly. The subsequent breakdowns of family placements cause further harm to children. Families who do so willingly still often have to adjust their living arrangements, creating further difficulty for both the carer and the child. I thank Dr Shona Minson at Oxford University for drawing my attention to the gravity and scale of the situation. In her research, one grandmother’s experience exemplifies that perfectly: “It’s cramped. What was my bedroom, I’ve now got two lots of bunk beds and four boys in there. The middle room is my daughter’s room and the baby sleeps in there and I sleep on the settee in the front room.”

Another grandmother explained the serious financial problems she encountered, having to go back to work to support her enlarged family and getting into debt at the same time.

Because of the difficult living arrangements and frequent relationship breakdowns in what can be very temporary homes, often there is accompanying schooling disruption. Children have four different carers on average during a mother’s sentence. Many encounter other significant changes, such as separation from siblings.

Michael Tomlinson (Mid Dorset and North Poole) (Con): I congratulate my hon. Friend on securing this debate and on powerfully speaking out for some of the most vulnerable in our society. She has raised some powerful examples. She mentioned Justice Ministers earlier, it is excellent to see the Education Minister in his place and she also mentioned housing. Does she agree that this is a cross-departmental issue? It is important that the Minister works together with Ministers from other Departments to help some of the most vulnerable in our society.

Fiona Bruce: I thank my hon. Friend for, as ever, making a highly pertinent point.

What I am speaking about forms part of a much larger piece of work that is encompassed in “A Manifesto to Strengthen Families”. It was launched last September and has the support of 60 Conservative Back-Bench
colleagues. It contains a range of policies that aim to strengthen family relationships. As my hon. Friend says, they straddle many Departments, from Health to Education, Defence, Justice, Work and Pensions, and Housing, Communities and Local Government. As part of the work on strengthening families, it is important that Departments across Government pull together and that the machinery of government works holistically.

Many Departments are doing good work to strengthen family life, such as through the recent announcement of £6 million for the children of alcoholics, and a much larger sum provided for children with mental health problems, many of which stem from their family backgrounds. However, a key ask in the manifesto is for a Cabinet-level Minister for the family. I am delighted to see the Minister with responsibility for children here. I would be even more delighted if he were promoted to the Cabinet and had the role of drawing together all the various strands for supporting family life, many of which could appropriately be channelled into family hubs in local communities.

I am delighted that there will be a roundtable this afternoon at No. 10, at which people from across the country will give examples of best practice for creating family hubs in local communities. Those are places people can go for support to strengthen their families—not just people with children from nought to five, but those with children aged up to 19, sandwich generation people who are struggling to support an elderly parent, and people whose marriage is at an early stage of breakdown and want light-touch early intervention to ensure that it does not fall apart completely and end up in the divorce courts. Family hubs may also be places for prisoners’ children and their wider families to get help.

There is often no official recognition of the plight of prisoners’ children, and they often have inadequate support, if any. Care givers are often not assessed, and they receive little, if any, financial assistance or other support. In the light of that, there appears to be a big difference in treatment between those children and children who are separated from their parents and go through care proceedings. The impact on prisoners’ children can be lifelong. They encounter multiple disadvantages, which often match those of children who are put before the court in care proceedings.

Children who are separated from their parents due to parental abuse or neglect are represented by lawyers and may be appointed a guardian ad litem, and a real focus is placed on their interests. If such a child is left without a parent, they are found a new home. Support is provided to those who care for them. Foster carers are assessed and receive training and financial support. The child is also likely to be classed as a looked-after child or a child in need, both of which open doors to additional funding in health and education, such as the pupil premium. That can ensure that the child is given more support and a more understanding environment at school. If the child moves to a new area, a school place is arranged for them.

However, in criminal proceedings involving parents of dependent children, the court may be completely unaware that the person it is sentencing has children. Even when the court is made aware, the impacts on those children often are not appropriately considered.
In the light of that, I ask the Government to look at improving services to support children such as Jade and their families. As I said, the strengthening families manifesto outlines that the Government need to focus on supporting families to ensure that policies for children are prioritised and co-ordinated across Departments. Ideally, they should also ensure that every local authority has a family hub, which can act as an important site for prisoners’ families to receive support services, and that prisons put families at the heart of efforts to reduce reoffending and improve the lives of prisoners’ children.

11.17 am

The Parliamentary Under-Secretary of State for Education (Nadhim Zahawi): It is a pleasure to serve under your chairmanship, Sir David. I congratulate my hon. Friend the Member for Congleton (Fiona Bruce) on securing the debate.

As Minister for Children and Families, I have listened and spoken to many people about the issues concerning some of the most vulnerable children in our society. I have been inspired by the commitment of our frontline practitioners, such as social workers, teachers and others in the sector—including charities, which my hon. Friend spoke about so convincingly. I commend her on bringing in the sector and spoken to many people about the issues concerning some of the most vulnerable children in our society. I am aware of my hon. Friend’s concerns about the legal status. The policy should be clear, regularly updated, and made freely and widely available. Approved family carers who are family and friends, regardless of their legal status, are family and friends foster carers receive the same support as friends carers in informal arrangements are treated equally with birth parents in the benefits system in relation to child benefit, child tax credits and other means-tested benefits.

Local authorities also have a statutory role where children are being cared for by friends, neighbours or certain other relatives under a private fostering arrangement. The local authority must visit such an arrangement in the rest of my speech I will be able to convince him that we are doing some really good work in this area.

There should be a clear focus on actions and outcomes for children, with plans for how assessment and support provided will be reviewed. All decisions regarding formal care placements will also be child focused to ensure that arrangements meet the needs of that child and promote their safety and welfare. That process is the same for each child, including in cases where a child’s primary carer goes to prison.

My hon. Friend the Member for Congleton rightly said that in many cases care arrangements might be with wider family or friends, often recognised as kinship care. We recognise the vital importance of those placements, which are likely to provide more continuity than a placement with previously unknown carers and can help to preserve a child’s sense of belonging to a wider family network. For most children, there is huge benefit from being brought up by a family member whom they trust and already have an established relationship with, rather than by a stranger.

The law requires local authorities to support the upbringing of looked-after children and those on the edge of care by their families whenever possible. That option should always be fully explored by the local authority before making an application for a care order, provided that it does not jeopardise the child’s safety or welfare.

Local authorities are under a statutory duty to publish a policy that sets out the authority’s approach to promoting and supporting the needs of all children living with carers who are family and friends, regardless of their legal status. The policy should be clear, regularly updated, and made freely and widely available. Approved family and friends foster carers receive the same support as other foster carers, including financial support. Family and friends carers in informal arrangements are treated equally with birth parents in the benefits system in relation to child benefit, child tax credits and other means-tested benefits.

Local authorities also have a statutory role where children are being cared for by friends, neighbours or certain other relatives under a private fostering arrangement. The local authority must visit such an arrangement within seven days of being notified of it and should speak to the parents and provide support and advice where necessary. Local authorities must also carry out follow-up visits to ensure that the arrangements remain in the best interests of the child.
I turn briefly to education. It is not only children’s social care that has an important role to play; school and college staff are particularly important as they are in a position to identify concerns early, provide help for children and prevent concerns from escalating. We recently published revised “Keeping children safe in education” guidance, which will commence on 3 September. Having worked closely with the Ministry of Justice, we have reflected on the importance of school staff considering the additional needs of children with parents in prison, so the guidance now highlights the fact that such children are at risk of achieving poor outcomes—including poverty, stigma, isolation and poor mental health—and signposts staff to the National Information Centre on Children of Offenders website, which provides specialist advice and resources for professionals who work with offenders’ children and their families.

All school staff should be aware of the systems within their school or college that support safeguarding, as well as being able to identify children who might be in need of extra help and protection, such as children of offenders. That is vital to avoiding children’s needs going unidentified and so that any trauma a child has experienced can be taken into account in responding to any behavioural issues.

The Department’s advice on behaviour says that schools should consider whether disruptive behaviour might be the result of a child’s needs, such as any arising from the trauma of a family member or parent going to prison. School staff should also be prepared to identify children who might benefit from early help. To be clear, if a child is in danger, has been harmed or is at risk of harm, a referral should be made to local authority children’s social care and, where appropriate, the police.

It is important that all children get the support they need. Her Majesty’s Prison and Probation Service is working in partnership with Barnardo’s to deliver the National Information Centre on Children of Offenders, which is an online resource to provide support for children affected by having a parent in prison. We are also supporting cross-Government programmes for prevention and diversion work, including the troubled families programme and those focusing on school inclusion.

Good mental health is another particular priority. We recognise the emotional upheaval that a parent going to prison can cause a child, and when children are struggling with poor mental health, that can have a profound impact on the whole of a child’s life. That is why the Government are investing an additional £1.4 billion nationally to transform children and young people’s mental health services. On top of that, the measures proposed in the Government’s Green Paper on children and young people’s mental health will provide £300 million of additional funding to introduce a new mental health workforce to work with mental health leads in schools and colleges and reduce waiting times for those with the most serious conditions.

The Ministry of Justice is working with the Department of Health and Social Care to develop a series of trailblazers that will test such teams outside of mainstream schools, including with youth offending teams.

Where a parent is involved in the justice system, it is vital that families receive support from the outset and that courts are aware that a defendant has children before they are sentenced. That is critical to avoiding those children being unseen or unaccounted for, so we are ensuring that the National Probation Service’s pre-sentence reports, which assist the court in making sentencing decisions, highlight whether an offender has dependent children and the potential impact on those children of a sentence so that that can be considered. We are also working to encourage defendants to tell the court about children, overcoming reluctance or fear if there are concerns that their children will be immediately taken into care. That includes supporting the roll-out of training material developed by the academic expert, Dr Shona Minson, which raises awareness of the diverse implications of maternal imprisonment for children.

Families can play a significant role in supporting an offender. Positive family relationships have been identified as a protective factor in desistance, or ceasing to commit crime. For that reason, the Government are promoting strong family and significant other ties as an important plank of our prison reforms, alongside education and employment.

Lord Farmer’s report on the importance of strengthening prisoners’ family ties, which my hon. Friend referred to, was published last year. It made several recommendations to strengthen family or significant other ties to help offenders to turn their lives around and protect public safety. Across Government, and through the Ministry of Justice in particular, we have taken forward key recommendations, including giving prison governors the budget and the flexibility to spend their resources appropriately—such as on family-friendly visiting areas—to help prisoners to keep important family or significant other ties.

The Ministry of Justice is developing new performance measures that we will pilot this year for future full implementation. That will provide crucial guidance to deliver more consistent services to improve relationships between prisoners and their families or significant others, such as flexible visitations and family days across the entire prison estate.

A new family and significant other policy framework will be published this year, which will set out requirements for governors in that area. To support that new approach, from April this year all prison governors have been required to produce local strategies that set out how they will support prisoners to improve their engagement with friends and family. We know that maintaining relationships with loved ones is crucial for prisoners and for their families. In England and Wales last year, we spent—

Sir David Crausby (in the Chair): Order.

Motion lapsed (Standing Order No. 10(6)).

11.30 am

Sitting suspended.
Hepatitis C

[Mr Gary Streeter in the Chair]

2.30 pm

Sir David Amess (Southend West) (Con): I beg to move,

That this House has considered elimination of hepatitis C.

I should tell the House at the outset that I am not really the instigator of this opportunity to debate hepatitis. The colleague who had succeeded in securing the motion is not able to be here, but I am delighted to share my thoughts with the House.

I was a member of the Health Committee from 1998 to 2007, and during that time we certainly spent a lot of time considering hepatitis. I am also the co-chairman of the all-party parliamentary group on liver health. I have been the chairman now for some 13 years—simply because I do not think anyone else wants to take on the mantle, to be frank. When we set up our all-party parliamentary group, we looked for a celebrity to head it all, as one does, and we chose George Best. The House might feel that George Best was an unlikely person to head up the charity, but at that time he was a reformed character, and he did a lot of good in those early years. Unfortunately, as we all know, a great toll was taken on his health and, sadly, he died.

We then looked for another celebrity, and—what a joy—Anita Roddick of The Body Shop, who was a wonderful and remarkable lady, became our patron. She died in 2007. The House may know that she contracted hepatitis C from a blood transfusion in 1971 and was unaware that she was living with the disease until 2004. A routine blood test revealed the diagnosis. She was a tireless campaigner, and we owe her a great debt of gratitude, but since 2007 we have struggled to find a patron to head up the organisation as president. If colleagues have any ideas, I know our APPG would be glad to hear from them.

The APPG recently conducted an inquiry into the elimination of hepatitis, and in March it launched a report entitled “Eliminating Hepatitis C in England”. It is my intention to refer to the report’s recommendations throughout my speech. We have an excellent Minister here, and I hope that both he and the shadow spokesperson have had sight of the report. If not, we will ensure that they get it in full; perhaps they could come back with their suggestions on how we might take the recommendations forward.

In our report, we suggest raising awareness, prevention, testing and diagnosis, care and treatment, funding and monitoring progress, so we have covered every single aspect. I take this opportunity to pay tribute to Charles Gore, the former head of the World Hepatitis Alliance, and to the secretariat of the APPG, the Hepatitis C Trust, for all their assistance. They have been wonderful in all the work they do for us, ensuring that our group is effective.

On 14 December, I visited Her Majesty’s Prison Wandsworth—not because I had been sent to prison but, ironically, to accompany the Minister who has resigned from the Government today, my hon. Friend the Member for Bracknell (Dr Lee), although I do not think his resignation was the result of our visit. It was a very good visit indeed, and of course it is in the constituency of the hon. Member for Tooting (Dr Allin-Khan).

The visit allowed us to tour the secondary screening and healthcare facilities in the prison and to participate in a roundtable on the subject of the hep C virus and the importance of testing and of attending appointments. It was a wonderful visit; I pay tribute to the governor, and I know the Government are focused on the excellent work that is being done there. We talked to inmates and the governor, and the Ministry of Justice, NHS England, the Department of Health and Social Care and Public Health England were represented.

Perhaps the Minister and I should have compared notes, but I will say a little bit about what hepatitis C is. As I am sure that most hon. Members are aware, it is a blood-borne disease that affects the liver. It can subsequently lead to liver cirrhosis and cancer, and it has been linked to cardiovascular disease, musculoskeletal pain, kidney issues and mental health problems. I see we have two practitioners present in the Chamber; they might want to contradict me if they think I have got the cause of hepatitis C wrong.

The virus is said to chronically infect some 71 million people globally. Sadly, 214,000 of them reside in the United Kingdom. That is why I welcome the United Kingdom’s decision to join 193 other states in signing the World Health Organisation’s global health sector strategy on viral hepatitis in 2016. It has the principal aim of eliminating hepatitis C as a major public health threat by 2030—and I believe that if we are serious about that, we can do it. At least one Member of the House of Lords, who regularly attends our APPGs, has the illness himself. He speaks with great passion in the other House about the challenges he faces.

I say to my hon. Friend the Minister that I also welcome the target announced by NHS England in January of eliminating hepatitis C by 2025, five years ahead of the WHO. However, many problems surround the virus and its elimination, and confusion persists over how the virus is spread. Many people do not appreciate that it is spread by blood-to-blood contact. Instead, some still believe it can be spread by sneezing, coughing, spitting or other forms of physical contact. I am advised that that is not the case and it is only blood-to-blood.

Furthermore, it is estimated that between 40% and 50% of the approximate number of people chronically infected with the virus in England do not know they have it. At the start of the debate, I pointed out that Anita Roddick did not know she had it until she was tested in 2004. Between 64,000 and 80,000 people are living in England without the knowledge that they have the virus. Even more worrying is the Polaris Observatory’s prediction that the UK is set to miss the WHO target of eliminating hepatitis C by 2030.

Mr Jim Cunningham (Coventry South) (Lab): I welcome the efforts the Government are making to tackle this problem. I do not want to digress too much, but there is still the outstanding problem of contaminated blood. The hon. Gentleman knows that as well as I do, because we have had many debates on this in the House of Commons. Even the previous Prime Minister said he was going to do something, but nothing has really happened yet, and there have also been allegations that some of the records—for want of a better term—have disappeared somewhere. We asked for an inquiry into that in the last Parliament.
Sir David Amess: The hon. Gentleman makes an excellent point. The hon. Member for Kingston upon Hull North (Diana Johnson) has done a fantastic job in bringing this issue to the attention of the whole House, but we must not take our eye off the ball. The hon. Gentleman is certainly right to remind me how important that issue is.

This country unfortunately lags behind Australia, Brazil, Georgia, Egypt, Germany, Iceland, Japan, the Netherlands and Qatar, which are all predicted to eliminate the virus within the proposed timeframe. I have said to my hon. Friend the Minister that we cannot really compare those countries with the UK, but it would be good if we could perhaps make even more progress on eliminating hepatitis C in this country. In the words of Polaris Observatory, the UK is “working towards elimination” of hepatitis C.

The APPG’s report highlighted awareness. First of all, it noted that awareness of hepatitis C has gradually improved in recent years, which we celebrate. However, awareness is still relatively low, and the stigma of having the virus remains a hurdle to people actually getting tested, diagnosed and treated in the first place. The report also found that there is low awareness of transmission risks among at-risk groups, with many people underestimating the seriousness of the condition and the urgency of accessing treatment. Even so, there are still misgivings among those with greater knowledge of the condition. Within that group, there is still a lack of awareness of new treatments that are available, and many still have worries regarding the side effects of former treatments.

The same is true of the stigma attached to the virus. Although it has decreased over time, the report found that progress still needs to be made in this area, as that stigma often acts as a barrier to people presenting themselves for testing or seeking treatment. The APPG therefore recommended initiating local and national publicity campaigns in an attempt to increase awareness. That is why I mentioned celebrities. Although I am not big on celebrities, I suppose that people do not listen so easily to us politicians—they tend to switch off. However, a so-called celebrity who is prepared to speak out publicly attracts more attention.

The report suggests two ways to increase awareness. One is among primary care professionals, through targeted testing initiatives in primary care, together with additional resources—it is always about securing more money—and support for primary care workers. The second is to raise awareness among at-risk groups through peer-to-peer messaging programmes. During my visit to HMP Wandsworth, I witnessed a peer-led group operated within the prison by inmates. It was wonderful what they had achieved.

However, it should be said that raising awareness of hepatitis C is in fact a short-term goal. Our long-term goal of eradicating the infection should see a switch to the offensive—to preventing the disease in the first place. That is what we are really aiming for.

Dr Dan Poulter (Central Suffolk and North Ipswich) (Con): I congratulate my hon. Friend on securing the debate and more generally on all his work on this issue and on promoting effective liver health during the many years he has been an MP.

On prevention, given that intravenous drug use is one of the primary causes of the transmission of hepatitis C, does he agree that at the moment a lot of drugs policy is seen far too much through the prism of the criminal justice system? We need to bring that much more into the health domain. Effective working with prisons and with the Ministry of Justice is vital if we are to get on top of this issue, reduce infection rates and provide proper treatment for people who are infected.

Sir David Amess: My hon. Friend was a Health Minister and has real expertise in this area. I shall use the expression “joined-up government”. He is absolutely right that we need Departments to work together. That is why it was so good that we visited the prison.

The Parliamentary Under-Secretary of State for Health and Social Care (Steve Brine): I may be able to help my hon. Friend here. As he knows, the drug strategy board is a cross-government committee. It met yesterday, chaired by the Home Secretary, and its members include the Justice Secretary, Health Ministers, Home Office Ministers, Housing, Communities and Local Government Ministers and representatives from the Department for Work and Pensions, as well as senior police officers, representatives from the National Crime Agency and a representative of the police and crime commissioners. That board takes that cross-government look, and hepatitis C is certainly an issue I would like to see it look at.

Sir David Amess: That is excellent news. I thank my hon. Friend for that positive response to looking at this issue.

The testing and treatments initiatives in place will lead to a decline in the prevalence of the disease. However, prevention will come from identifying and educating at-risk groups. To do that, we need the help of substance misuse services, sexual health clinics and peer programmes that can educate those most vulnerable sections of society on the transmission of the virus. I am advised that these services are at risk of closure without sufficient increases in their funding. Perhaps the Minister will have some news on that when he replies.

Harm reduction is another paramount mode of prevention. If we can reduce the harm to at-risk groups, we can combat one way in which the disease is transmitted. That can be achieved by providing clean and sterilised injecting equipment. Our report also emphasises the treatment-as-prevention approach towards tackling newer infections. That approach has been successful in treating drug users and other users engaging in riskier behaviours to prevent the spread of hepatitis C.

As I said earlier, between 40% and 50% of people living with hepatitis C in England are undiagnosed, which is shocking. It is therefore vital that we continue to increase testing and diagnosis levels. It is generally believed that the vast majority of those who have been diagnosed and put in touch with support services have now been treated, which I welcome. The challenge is therefore to locate those people who remain undiagnosed. That is a tricky one; it will be a real challenge.

Dr Philippa Whitford (Central Ayrshire) (SNP): The hon. Gentleman talks about all of those people who have hepatitis C who have been diagnosed being treated, but my understanding is that these new antivirals are
given to those with the most severe disease and have cirrhosis, rather than to everyone who is diagnosed with hepatitis C on a preventive basis. Can he clarify that?

Sir David Amess: I am concerned by what the hon. Lady says. No doubt the Minister will eventually be passed a note from his officials and will advise us on the situation. That does not seem right if it is what is happening, and I hope that the Minister will correct me if that information is wrong. It is also vital to re-engage those who have been diagnosed and have slipped through the net to the point where they are no longer in touch with those services.

The APPG thinks that the way to combat these issues is to change how we test for the virus. We recommend routine testing in substance misuse services, sexual health clinics and prisons. We also advocate increasing testing in primary care and in settings such as hostels, day centres and police custody. I know that that will not be cheap, but if it could be done it would be wonderful. Another solution is to test for hepatitis C on occasions when people are already having blood tests, which seems like common sense to me. For example, should we not consider testing people for hepatitis C while they are being tested for HIV, or when taking blood in accident and emergency centres?

Diagnosis is one thing, but accessing care is another. It is therefore essential that people who are diagnosed are referred for treatment as soon as possible, without delay. There should be a direct link between diagnosis and care. The time between diagnosis and the commencement of treatment should be minimised, to prevent patients from dropping out of the care pathway altogether. One way to achieve that would be to make treatment available immediately following diagnosis. That may be ambitious, but it is, ideally, what our APPG wants. Another way would be to streamline the referrals process. As it stands, some secondary care services will only accept referrals for treatments from general practitioners. Allowing referrals from any service at which someone might be tested and diagnosed, as the APPG recommends, would go some way to solving the problem.

Dr Poulter: I agree entirely with my hon. Friend. One challenge that we face is the fragmentation of the commissioning of substance misuse services and sexual health services. Those are commissioned by local authorities under the Health and Social Care Act 2012, which I think we have to reflect on as a mistake in this context, as opposed to many secondary care services, which are commissioned by the NHS through clinical commissioning groups. Until we sort out that fundamental issue of commissioning, we will not be able to put in place the improvements that he suggests.

Sir David Amess: Oh dear! I say to my hon. Friend—I and, indeed, you, Mr Streeter, were in this place when we were dealing with all these issues—that the fragmentation is very worrying. My hon. Friend is right to point out that more work needs to be done on the issue.

Dr Whitford: I am not sure whether the hon. Gentleman is aware that there is a cap on the number of patients who are allowed to receive drugs such as sofosbuvir; certainly, hepatologists I have met in recent years report having to ration it to the most severe cases. The limit was set at about 10,000 patients a year. This year, it has been increased to 15,000, but that is not a target; it is a cap. It means that despite it having been stated that 160,000 patients in England suffer from hepatitis C, it would literally take 10 to 16 years to treat them all, so this is a matter not of referral but of access to the drugs.

Sir David Amess: I said at the start that I was totally the wrong person to lead this debate. I put my hands up: I was not aware of the cap. It, too, is a little worrying, but perhaps the Minister will have an answer. I am the first to admit that money is not always available for these things, but it is worrying that we are talking about another 16 years. That is not what our all-party group wants.

If services share data more effectively, the number of patients lost to follow-up will certainly be reduced. That will minimise cases such as prisoners who have been diagnosed being released before being referred to a service that provides the treatment that they so desperately need. Another example is where general practitioners have records of people who have been diagnosed but never received treatment.

On the subject of treatment, pioneering treatments have been in place since 2014. I am advised that they are shorter in duration and have higher cure rates and fewer side effects. They have thus been instrumental in making progress in the way we treat hepatitis C, and many people have been cured thanks to the drugs available since 2014. Notwithstanding that, we should continue to maintain targets for the number of people treated and to maintain universal access to treatment for those who have been reinfected. Those targets should be local, regional and national.

There is even an argument for making the targets more aspirational. Currently, there is a target to treat 12,500 people in England per year, and the all-party group would like that to increase to 20,000 new treatment initiations. If the target is not raised, there is little chance of achieving NHS England’s target of eradicating hepatitis C by 2025. It might be more pragmatic to have initially an even greater target, which would progressively be lowered in the future. That approach would reflect the assumption that, as overall prevalence falls and approaches minimal levels, those still living with the virus will be harder to locate within the population.

Treatment should be focused in the community. That will ensure that access is not hindered for those who have difficulty accessing secondary care services. The all-party group recommends making treatment more readily available in GP clinics and pharmacies, homeless shelters, substance misuse centres, sexual health clinics and prisons.

Funding is where the crunch comes, and we have quite a bit to say on it in our report. Although new curative treatments have considerably decreased in cost, pioneering new treatments for hepatitis C are not immune to concerns. The way in which the new treatments were initially rolled out by NHS England drew criticism at the time. For example, restrictions were placed on the number of patients able to access them each year in England. Of course, the hon. Member for Central Ayrshire (Dr Whitford) has reminded the House of that. I am sure that the Minister is aware of recent negotiations between NHS England and the industry to develop a
new funding model in this area and one that does not restrict access for patients. Without such dialogue, elimination in England would be severely compromised.

The all-party group has gone further, however. We recommend that any future deal should prioritise equitable availability throughout the country—I suppose we are thinking here of the postcode lottery—that does not discriminate against patient populations. On the subject of the all-party group’s recommendations, we believe that we should continue to monitor elimination progress with reference to progressive targets. The report calls for more diverse data on the virus to be collected and shared. It is the group’s belief that that would additionally allow for improved allocation of testing and treatment resources.

As the all-party group’s report makes clear, we believe that the eradication of hepatitis C in the foreseeable future is an extremely achievable goal—we really think we can do this. It is a goal to which our international partners are committed, which is very good. Some of them are making greater progress towards achieving it than we are, for whatever reason. For the target to be met, we must change our approach to hepatitis. It is my belief that the recommendations that I have summarised today must be implemented, and as soon as possible. Failure to do so will only prolong the existence of hepatitis C in this country. We have at our disposal the means to eliminate it. Let us do that.

2.56 pm

Jim Shannon (Strangford) (DUP): Let me express special thanks to the hon. Member for Southend West (Sir David Amess) for setting the scene. He said that he was not the master of the debate, but he was certainly the master of delivery. He told us about all the important issues, with the help of the two learned doctors in Westminster Hall today: the hon. Members for Central Suffolk and North Ipswich (Dr Poulter) and for Central Ayrshire (Dr Whitford).

As my party’s spokesperson on health, I take an interest in all health matters in the House. Some people would say, “He takes an interest in just about everything in the House,” but that is by the bye. Health matters are my specific interest, so I am here to make a contribution in that capacity and will make a comment from a Northern Ireland perspective. Obviously, that will come into the debate.

First, I commend the all-party parliamentary group on liver health for the report that it has put forward. The hon. Member for Southend West is absolutely right: if people listen and read its recommendations, they will realise that the APPG has a really firm and dedicated interest in this matter. I am most impressed by the APPG’s recommendations and report; I am sincerely impressed by the work carried out by it. In my research for my contribution to the debate, I learned a lot from its recommendations and from the work that it does. The contents of the report are informative in the extreme. It provides lots of detail and information, which I hope will help us to contribute to the debate in a positive fashion.

I sincerely hope, too, that there will be such an opportunity for the Minister, who is always responsive and helpful. We are pleased to have a Minister who clearly has an interest in the subject matter. When he speaks, we will understand just how important that is. However, we need to implement the recommendations for so many people throughout the UK. I am also pleased to see in her place the shadow Minister, the hon. Member for Washington and Sunderland West (Mrs Hodgson). I know that she will be equally positive.

The hon. Member for Southend West referred to George Best. He was the greatest footballer this world has ever known, according to Pelé, and what better person to say that than a man who many think was the best footballer in the world, even though whenever he has been asked he has said that it was George Best.

Unfortunately, George Best had problems; that was just the fact of it. With his talent and expertise came a problem, and the problem was alcohol. For a time, he and his wife lived in my constituency, just outside Portavogie, and he was very much someone who everyone wanted to associate with and spend time with. We well remember the day that he died and his funeral at Stormont. It was unusual for someone to be given the accolade of being buried from Stormont. I remember that it was a rainy day, but the crowds came from all over the Province just to be there and be part of what was a very poignant occasion as we laid to rest one of Northern Ireland’s greatest and, indeed, one of the world’s greatest when it came to playing football. I just wanted to say that, as the hon. Member for Southend West introduced it in his comments.

My parliamentary aide first went to Africa on a humanitarian aid project. She is a member of the Elim Church in my constituency. Elim Missions Ireland does some fantastic work out in Swaziland and Zimbabwe when it comes to helping with medical and education projects, as well as general all-round giving. It takes out a number of containers every year to help with that. When she told me about the list of vaccinations she had to get, one of which was for hepatitis A and another for hepatitis B, she said, “All I am really missing is hepatitis C.”

Little did we understand in the office that the hepatitis C vaccine is greatly needed not simply on the plains of Africa, but in our own country. The hon. Gentleman referred to that.

The Northern Ireland Hepatitis B & C Managed Clinical Network is a website with great information that helps us to construct our speeches. Hepatitis C is an infection of the liver caused by the hepatitis C virus, which is carried in the blood stream to the liver. We know that it can cause inflammation and swelling. It can cause fibrosis and the scarring of the liver tissue, and sometimes liver damage. It may subsequently lead to cancer of the liver and possible death. Over the years as an elected representative, I have represented quite a few people who have died of liver cancer, although that is a separate debate. I remember only one person in that time who survived liver cancer to live for a longer period.

In Northern Ireland, there are more than 2,500 people known to be infected. A large proportion of people, however, remain unaware that they have the virus. That is one of the key issues on which we look to the Minister for a response. How do we raise that awareness to address those who do not know they have it, but need to know today? We all know that we need early diagnosis. If we find out early that something is wrong, we can do something about it, but if people are carrying the virus in their system and do not know, that is a real problem.
Like so many unseen diseases, the problem lies in the fact that many people do not realise they have been infected with the virus, because they have not had any symptoms or they may have flu-like symptoms that can easily be mistaken for another illness. I declare an interest as a type 2 diabetic, which is a chronic disease. Every year, I get that flu jab to try to stop flu and colds. By and large it works—it has for the last few years, anyway. People who get colds and flu regularly might wonder whether it is just a cold or flu, or something more. That is the question we are all asking.

With the pressure the NHS is under, as we all know, there are few of us who would not struggle through the winter with a perpetual cold or flu, thinking we were simply run down. Few people would bother their doctor with a cold, yet for some that prevents treatment from being started when it would be most effective.

This is Men’s Health Week. Those of us who fit into that category know that we need to look at our health more seriously. In Men’s Health Week, we need to say, “If you have a problem, go to your doctor.” People say that man flu is one of the worst things to have, but us men, unfortunately, do not respond to our health issues as strongly as we should. We should be going to our GP.

I have learned that there are six types of hepatitis C virus, which all have different genes, which are called genotypes and numbered 1 to 6. Almost all people in the UK who have hepatitis C have genotype 1, 2 or 3. It is important to know which type a patient has, as different types respond differently to treatment. It is possible to be infected with more than one type of hepatitis C at the same time. I remember an awareness event in the House of Commons not too long ago—it may have been last year—on hepatitis C. That day aimed to highlight the issue and make us more informed of the problems.

Hepatitis C is a blood-borne virus and there is some stigma attached, because it can be transmitted sexually or through sharing needles. That is certainly true, but it needs to be publicised that the virus can also be shared through an unsterilized needle in a tattoo parlour or something as innocuous as sharing a toothbrush, a razor or other personal items, because the blood can survive outside the body. An old toothbrush, therefore, can bring about a whole mess of issues. One person in four will clear the virus, but it is possible to catch it more than once.

The APPG’s positive recommendations on how hepatitis C could be eradicated should be central to our thoughts on where we go. All the issues I have mentioned are reasons we are not finding it easy to meet our own target of eradication by 2025 and the World Health Organisation target of world eradication by 2030. People may not be fully aware. Will the Minister confirm what has been done to meet those targets? Can the targets be met? What is new in the way that we address or respond to these things?

We need to ensure that those who present symptoms are tested and those with a history are re-tested. Someone who has had the virus before can have it again, and they might not know. With new drug combinations, it is anticipated that it will be possible to cure approximately 90% of persons with the HCV infection. Those new combinations are effective against the infection in patient groups that were previously described as difficult to treat. We need to focus on those difficult-to-treat areas.

I agree in totality with the recommendation of the APPG on liver health regarding the fact that NHS England has recently entered negotiations with industry to develop a new funding model for hepatitis C, which is expected to guarantee access to treatment without restriction. That is good news. I agree that the resulting deal should include effective mechanisms to ensure that funds are distributed equitably across different geographies and patient populations, so that no one is left behind. I will go further: Northern Ireland must be a key part of the distribution list, not simply the mainland of England, if we are to eradicate hepatitis C and address the issues, whatever they may be.

The hon. Member for Central Ayrshire, who is the Scottish National party spokesperson, will give us not only a Scotland perspective, but a United Kingdom of Great Britain and Northern Ireland perspective. We need to look at how we can do this with the Welsh Assembly, the Scottish Parliament and the Northern Ireland Assembly, despite the limbo land that it is in, through the permanent secretary. Any new funding must be accompanied by a comprehensive and strategic plan to ensure that it is implemented effectively.

To conclude, there is a way forward with hepatitis C. It is treatable. Let us put this in perspective: it can be done. All we need is the will and the strategy to make it happen. People need to be aware that they have hepatitis C in the first place, but other work needs to be done too.

3.7 pm

Dr Philippa Whitford (Central Ayrshire) (SNP): It is a pleasure to serve under your chairmanship, Mr Streeter. Hepatitis C was identified about 25 years ago. When I was a young doctor, it was simply known as non-A, non-B hepatitis, because no one had any idea what it was. As the hon. Member for Southend West (Sir David Amess) said, we are talking about something that many people simply do not know they have. That is a key, underlying problem. Patients may only be aware that they have hepatitis C when they start to have liver symptoms, which is the start of cirrhosis or malignancy.

With any condition, we first want to prevent it. As was mentioned, at needle exchanges we already have blood screening to ensure that it is not coming from transfusion. We have to remember those in this country who previously suffered from contaminated blood that was iatrogenic—caused by doctors and the health service.

I agree with the hon. Member for Central Suffolk and North Ipswich (Dr Poulter) that we need a more medical approach to the issue of drugs. If we drive problems underground, there is no possibility of detecting and treating people, to achieve the elimination that the World Health Organisation is aspiring to.

In Scotland we are recognised as world leaders, in the sense that we had a strategy in 2005, 2008, 2011 and then our elimination strategy, which was introduced in 2015. The 2011 strategy fed into what became the World Health Organisation strategy, as one of our senior leaders was seconded to it. The big change is sofosbuvir and ledipasvir—the new antivirals that are well tolerated and able to clear the viral load in 90% of all patients. Of course we would prefer a vaccine, as the hon. Member
for Strangford (Jim Shannon) mentioned; that is how we eliminated smallpox and how we are trying to eliminate polio. However, the problem with hepatitis C is that, as he said, there are six genotypes, but 50 subtypes, and it mutates regularly. It is one of those viruses with a coating that is very hard to get a handle on with the immune system and therefore to develop a vaccine for, so we need to use the drugs until a vaccine is available.

The Scottish Medicines Consortium passed sofosbuvir in 2014 and NICE passed it in 2015. Unfortunately, NHS England took the approach of trying to slow things down because the drugs are very expensive. However, dealing with liver failure and having to consider liver transplantation is even more expensive. A cap of 10,000 patients with cirrhosis and the most severe conditions from hepatitis C was set.

In Scotland in 2015, we took the opposite approach—a public health approach—to try to reduce the virus in the community and prevent it from occurring.

Dr Poulter: The hon. Lady is making very good points. I am sure she will correct me if I am wrong, but the other point to make is that in Scotland there has been a much more joined-up approach in tackling heroin addiction. Scotland is much further forward than England in addressing such issues, in having a co-ordinated strategy and in recognising how addiction leads to prisons and the criminal justice system. Indeed, there is not the fragmented commissioning of services that we see in this country. Does she agree with me that that is something that England can learn from in addressing the lack of joined-up working and commissioning?

Dr Whitford: I thank the hon. Gentleman for his comments. As NHS Scotland is still a single public body, we do not have the issue around commissioning. We are also trying to take a much more health-based approach to addiction. As happens in England as well, we have multiple needle exchange programmes. This place has held us back from trying to introduce safe injection in Glasgow, which has one of our highest drug-addicted populations and highest incidence of drug-related deaths. However, that initiative comes under the Home Office and we have not been granted permission to try to take it forward. Always taking a criminal justice approach gets in the way of achieving the medical outcomes that we want.

It is really important to recognise the breakthrough of the drugs. With an eight or 12-week course, expensive as it is, more than 90% of patients will achieve a sustained virological response. That means they remain as it is, more than 90% of patients will achieve a sustained virological response. That means they remain

being taken. That will be from general practice in areas of high prevalence. It already includes bloods taken in accident and emergency. It includes screening at other times such as when we screen for HIV. Obviously, we screen for HIV when a woman has her booking appointment at the time of her pregnancy. We need to use all the opportunities that we can. Of course a patient always has a right to opt out, but when we make something the norm it becomes easier for people to agree.

The prison population obviously has a big problem with drugs, including IV drugs—either in the present or the past, before the prisoners were incarcerated. It is important that we get the tests taken up by such populations.

We also offer testing in more social settings, where there have been education events around hepatitis and HIV and where peer-to-peer work has been done. It is important that we raise awareness and try to reduce the stigma. There is a problem with always talking about HIV drug users, as opposed to recognising that someone might have been contaminated by blood in this country, while undergoing maternity care or surgery overseas, or, as was mentioned, in a tattoo parlour: it means that people do not care. We end up with, “Well, it’s their own fault”, which maintains the risk to everyone else and hampers elimination. As well as raising awareness, we absolutely have to reduce the stigma.

It is important to take a public health approach, as we have done in Scotland. I commend that to NHS England, which should remove the cap and do as we are doing: try to set a minimum target for new people to be found and treated as soon as possible. We have seen the new cases reduce from 1,500 in 2007 to 700 in 2013, but it is the chronic cases that we find and they still carry the virus and can spread it to other people.

Of course, NHS England should try to get the price down. There is no right for drug companies to profit as opposed to having a fair return, but the issue must be taken in the round. We must recognise that eliminating the virus by using drug treatments while we wait for a vaccine will overall be an huge benefit to society.

3.16 pm

Mrs Sharon Hodgson (Washington and Sunderland West) (Lab): It is a pleasure to serve under your chairmanship, Mr Streeter. I thank the hon. Member for Southend West (Sir David Amess) for securing this important debate and for the work that he has done as co-chair of the all-party group on liver health for many years, as well as for his excellent opening speech today. My hon. Friend the Member for Ealing, Southall (Mr Sharma), a vice-chair of the all-party group, is not in his place today, but I pay tribute to him for the work that he has done to raise awareness of this issue. I thank the hon. Members for Strangford (Jim Shannon) and for Central Ayrshire (Dr Whitford) for their excellent contributions and I thank the hon. Member for Central Suffolk and North Ipswich (Dr Poulter) for his interventions.

Finally, I thank Professor Steve Ryder, whom I met earlier this year, for his expert briefing and for the obvious passion that he has for eradicating hepatitis C in this country as soon as possible. I also pay tribute to the Hepatitis C Trust and the Hepatitis C Coalition for the work that they do.
I welcome NHS England’s ambitious commitment earlier this year to eliminate hepatitis C by 2025, five years ahead of the World Health Organisation’s target. Healthcare professionals and experts are confident that hepatitis C can be eliminated, notwithstanding everything we have heard today about the cap on the treatment. Today is the first time I have heard about that, but I am sure the Minister will respond to the issue in his remarks soon. I remain concerned about some of the challenges that need to be faced by 2025 if the target is to be achieved.

Hepatitis C, as we have heard, is a hidden disease with patients experiencing few or no obvious symptoms for many years, but its long-term effects can cause severe liver damage if it goes untreated. Across the UK, around 214,000 people are infected with hepatitis C, but I understand that 40% to 50% remain undiagnosed. That huge percentage of people going undiagnosed is one of the biggest challenges to eliminating this virus—we cannot treat people if we do not know who they are. As Professor Paul Klapper and Pam Valley of Manchester University ask in an article published this year, “how do we identify those who are infected so that they can be guided into treatment and care?”

As I, and many others, have mentioned today, hepatitis C is a hidden disease. People may be completely unaware that they are living with the virus, and at risk of unknowingly passing it on to those around them. Although awareness of hepatitis C is gradually improving, low awareness and stigma remain a challenge to ensuring that as many people as possible are tested, diagnosed and treated.

Levels of stigma and poor awareness are particularly high among at-risk groups, such as former or current drug users, or those who do not access conventional healthcare facilities, possibly because of fear of being challenged or stigmatised. How will the Government ensure that those at-risk groups are reached—not only for testing but for continued treatment? Again, this is where the cap will come into things: as more people come forward and are diagnosed, we must be able to treat them.

People need continued support throughout their treatment to ensure that they complete the course of medicine—if they do not, it is just a waste of time and money. Will the Government provide extra support to at-risk groups to ensure that that happens? An effective way of raising awareness and breaking down the stigma of hepatitis C is to introduce peer-to-peer messaging programmes for at-risk groups. Such a provision could be increased in settings such as drug services and prisons, and would mean that there will already be an understanding and relationship between the two parties. Has the Minister made any assessment of the role that a peer-to-peer programme might have in achieving the goal of eliminating hepatitis C by 2025?

Although at-risk groups make up a huge proportion of those living with hepatitis C, people who do not consider themselves to be at risk also pose a challenge to the 2025 target. As we have heard, Anita Roddick from The Body Shop was one of those who would not have been in an at-risk group, and she would have had no way of knowing that she was infected with hepatitis C. The excellent all-party group on liver health stated that “A high-profile, Government-backed awareness campaign should be considered, and awareness messaging should be targeted through novel channels at those who may not consider themselves to be ‘at risk’.”

Do the Government have any plans to support Public Health England in raising awareness of hepatitis C among the wider general public, and what format might that campaign take?

Crucially, awareness among primary care professionals should be increased through targeted testing initiatives in primary care, with additional resources and support for primary care workers. If we are to eliminate hepatitis C, we must seize the opportunity when people are already having blood taken—tests for HIV for example, or when bloods are taken in A&E—and test them for hepatitis C. Testing should become routine in substance misuse services, sexual health clinics and prisons, and it must also increase in primary care and community settings, such as hostels, daycentres and police custody. The prevalence of hepatitis C among the prison population is four times that of the population as a whole. If the amount of people tested increases, we will be closer to identifying the 40% to 50% of infected people who are living with it unknowingly, and we will be one step closer to eliminating the virus.

A big step in recent years has been the development of a new class of drugs—direct-acting antivirals or DAAsthat has revolutionised the treatment of hepatitis C. The drugs no longer carry the toxicity or side effects of previous treatments, and the short treatment courses effectively cure the infection in a high percentage of cases. Once patients are diagnosed, however, it is crucial that they are treated immediately, because the time between diagnosis and starting treatment poses the greatest risk of patients dropping out of the care pathway.

For example, a prisoner who is diagnosed and treated while in prison but who is then released might not continue with the treatment and could be at risk of infecting others, as well as of not being cured. What mechanisms will the Government put in place to ensure that those who begin their treatment can finish it, regardless of any change in circumstances? Quicker referrals are also needed to simplify the process of linking people into care. Currently, some secondary care services will only accept referrals for treatment from GPs. The all-party group on liver health recommends that referrals for hepatitis C treatment should be accepted from any service where someone might receive a test and be diagnosed. Has the Minister made any assessment of that recommendation?

Finally, I move on to prevention. If we are to eliminate hepatitis C—we all want that to happen—we must ensure that the number of new infections falls. Substance misuse services and sexual health clinics have a crucial role in that, but their funding has consistently been cut by the Government. The King’s Fund estimates that spending on tackling drug misuse in adults has been cut by more than £22 million compared with last year, and funding for sexual health services has been cut by £30 million compared with last year. What role do the Government expect such services to play in the elimination of hepatitis C, given such limited funding and resources? Those services provide not only a testing service, but an educational one that could help reduce re-infection rates—a further challenge to the elimination of this virus.
I am sure the Minister will agree that serious challenges lie ahead in meeting our ambition to eradicate hepatitis C by 2025. All those challenges need to be addressed—not only to meet NHS England’s target, but to ensure that this potential public health crisis is averted. I look forward to hearing the Minister’s response on how the Government plan to tackle those challenges in the months and years ahead.

3.27 pm

The Parliamentary Under-Secretary of State for Health and Social Care (Steve Brine): It is genuinely a pleasure to serve under your chairmanship, Mr Streeter, and to be back in Westminster Hall on such a quiet day in Westminster. The hon. Member for Ealing, Southall (Mr Sharma) is sadly not in his place today, but I thank my hon. Friend the Member for Southend West (Sir David Amess) for securing and leading this debate. Although he said that he was not the best person to introduce the debate, he could have fooled us because he did it very well.

Hepatitis C is a significant health issue in our country, and for too long it has been overshadowed by other public health concerns that, despite the superstars involved, have had higher public profiles. I pay tribute to the Hepatitis C Trust and the wonderful Charles Gore, whom I have got to know in this job. He is a colossus in this area, and has become a friend. I also thank the Hepatitis C Coalition—this issue has been central to both those organisations.

My hon. Friend mentioned lots of local services for Southend residents, and a lot is going on in his constituency. Few MPs champion their constituency more than he does, so for his press release I will mention that screening and onward referral services are provided by the Southend Treatment and Recovery Service, known as STARS. For primary care, GP practices refer people to the specialist treatment services in my hon. Friend’s much-loved Southend Hospital. Local drug and alcohol treatment services in Southend hold outreach screening sessions for hepatitis, and all positive cases are referred for onward treatment. Big local successes that I noted in my papers included last year’s hepatitis C roadshow, which took place in my hon. Friend’s area, and there is the hepatitis C operational delivery network educational event 2018—he can see me after class for more details if he would like.

It is always good to see the hon. Member for Strangford (Jim Shannon) in his place, speaking so knowledgably and passionately about this issue, as well as the hon. Member for Central Ayrshire (Dr Whitford), and my hon. Friend the Member for Central Suffolk and North Ipswich (Dr Poulter).

The World Health Organisation has set ambitious targets to reduce the burden of chronic hepatitis C over the coming years, with a pledge to eliminate it as a major public health threat by 2030. The UK Government are committed to meeting and beating that target, as has rightly been said.

A few years ago, hepatitis C-related mortality was predicted to increase in our country, but through the measures that we have in place and the hard work and dedication of so many unsung heroes in the field, 9,440 treatments were delivered nationally against a target of 10,000 in 2016-17; the number of deaths fell for the first time in more than a decade, and that has been sustained for another year; and between 2014 and 2016, there was a 3% fall in deaths from hepatitis C-related end-stage liver disease. That is good news.

However, hepatitis C continues to make a significant contribution to current rates of end-stage liver disease. I welcomed the recommendations to tackle that in the report, “Eliminating Hepatitis C in England”, which was published in March by the all-party parliamentary group on liver health, of which my hon. Friend the Member for Southend West is co-chair. I often produce a recommendation-by-recommendation response to Select Committee reports in my area, but when I checked with my officials during the debate, I found that I did not do it for that report—I was not asked to by the group—but I offer to do so. In fact, I will go further than that—I will go crazy and do it. The group will get that from me as a written response to its report.

This is a timely debate, because NHS England recently launched its procurement exercise for the new generation of hepatitis C antivirals. If that exercise delivers successfully, the ambition is to eliminate hepatitis C as a public health threat earlier than the WHO goal of 2030, and to get to 2025.

Dr Poulter: Given the experience that we had with NHS England on HIV PrEP medication and its argument that that was a public health responsibility, which I believe was wrong and which was legally found wanting, will the Minister ensure that he holds its feet to the fire on hepatitis C so it recognises that although it is a public health issue, it has a responsibility for the effective procurement of antivirals and for making them available to all people with hepatitis C?

Steve Brine: Point taken; feet will be held to said fire. I do not think that NHS England is found wanting in this area, and I will go on to say why, but I take my hon. Friend’s point and will follow it through, because I want this to work.

The new industry deal may allow for longer contract terms that cover a number of years, but whether a long-term deal can be reached and what its duration is will be contingent on the quality and value of the bids submitted by industry. I expect the outcome of that in the autumn.

On local delivery networks, NHS England has established 22 operational delivery networks across our country to ensure national access to the antiviral therapy. I will touch on the issue of the cap in a minute. Those clinically led operational networks are given a share of the national annual treatment run rates based on estimated local need.

That local operational delivery network model ensures better equity of access. Many patients with chronic hepatitis C infections come from marginalised groups that do not engage well with healthcare, as has already been said. Through the development of networks, it has been possible to deliver outreach and engagement with patients outside traditional healthcare settings, such as offering testing through drug and alcohol services and community pharmacies.

As hon. Members know, I have a great soft spot for community pharmacies, and I think that they can and do play an important role in this space. In April, I hopped along to Portmans Pharmacy, which is just up
the road in Pimlico, to see the pharmacy testing pilot of the London joint working group on substance use and hepatitis C that is going on there. I saw the testing and the referral to treatment that takes place in pharmacies that offer needle and syringe programmes across six boroughs in London.

Portmans Pharmacy has provided a needle and syringe programme and the supervised consumption of methadone for a number of years. Those points of contact with people who inject, or previously injected—a key distinction—drugs provide an ideal opportunity for us to make every contact count and to test for hepatitis C, as we think that about half of people who inject drugs in London have the virus.

The approach of Portmans Pharmacy and the London joint working group is innovative. It aims to provide quick and easy access to testing and a clear pathway into assessment and treatment in specialist care, which is obviously critical. I pay great tribute to the work that the group has done. It has rightly received a lot of coverage and a lot of plaudits. I am anxious and impatient—as my officials know, I am impatient about everything—to see the peer-reviewed results of that work and where we can scale it out more.

The hon. Member for Central Ayrshire mentioned treatment in respect of the cap. It is different north of the border, but NHS England offers treatment as per the NICE recommendations. The drugs that she mentioned are expensive, which limits the number of people who can be treated each year, but treatment has been prioritised for those most severely affected. The NHS then provides treatment to others who are less severely affected. So far, 25,000 people in England have been treated with the new drugs and a further 13,000 will be treated this year. The NHS procurement exercise should allow for even larger numbers to be treated each year. Of course, nothing is perfect in life. Resources in a publicly funded health system are finite, which is why we have to target treatment in respect of the cap. It is different north of the border, but NHS England offers treatment as per the referral to treatment that takes place in pharmacies, and the pharmacy makes every contact count. The people who Portmans Pharmacy engage in programmes at a local level to prevent the transmission of hepatitis C infection or a drug-use issue have other issues they get flu too—so they interact with that pharmacy, and the pharmacy makes every contact count by grabbing people earlier. That is one reason why I am so passionate about the way that that underused network can help us to reach the ambitious targets that we have set.

Steve Brine: Of course, the hon. Lady states a fact not an opinion, and I accept that, which is why I speak of the importance of primary care and of making every contact count. The people who Portmans Pharmacy interacts with are not all sick. People who have a hepatitis C infection or a drug-use issue have other issues—they get flu too—so they interact with that pharmacy, and the pharmacy makes every contact count by grabbing people earlier. That is one reason why I am so passionate about the way that that underused network can help us to reach the ambitious targets that we have set.

Dr Poulter: The fundamental issue is that there is no greater evidence of fragmentation—I speak from my own clinical experience—and failure of joined-up working than the fact that local authorities commission substance misuse services but that the NHS commissions mental health services for the same patients and secondary care services for hepatitis C patients. People are falling through the gaps. Many people who have hepatitis C do not present to GPs, and are not even routinely on their lists, so the issue has to be looked at in a much more effective way if we are to make a difference.

Steve Brine: I hear my hon. Friend’s experience of the frontline and I would not disagree that in some areas there is unhelpful fragmentation. If I remember rightly back to those happy early days of the election of my hon. Friend and I to this place, we sat on the Health and Social Care Bill Committee. That piece of legislation, controversial as it was, enacted the decision to pass that responsibility to local authorities and, of course, all local authorities are now, in effect, public health bodies. All of them—well, top-tier authorities in England—have directors of public health.

Just because there are challenges and fragmentation, that is not a reason to redraw the system. I do not think there is any desire within the system for a top-down or bottom-up reorganisation—I suspect that, as a doctor, my hon. Friend would agree with that—but there is a challenge to the system to come up with a much better whole-system approach, to make sure that people do not fall between those cracks.

My hon. Friend and I could debate at length—I am sure we will—whether those cracks can ever be filled, and whether there will ever be Poliofilla that is big enough or strong enough to fill those holes, but I do not think that it is a reason to break open the system.

Dr Poulter: This fragmentation of commissioning is a really important point and it comes up in so many debates in Westminster Hall and, indeed, in the main Chamber. I urge my hon. Friend and indeed the rest of
the health team—we have got to put right the things that we got wrong. If we want to get this issue right, and get it right for people with hepatitis C, and for people with other conditions who are getting access to services because of this fragmentation, then we have to revisit it.

I urge my hon. Friend to go and spend some time out on the frontline with some professionals and to get them to talk to him candidly—not on a ministerial visit. He should get them to talk to him candidly about these problems, because we have to recognise that this situation needs to change for the benefit of the people we care about, who are the patients.

Steve Brine: I will not prolong this discussion, Mr Streeter, but I take my hon. Friend’s point and I think it is a subject that will receive further airing, to put it mildly.

Dr Whitford: Will the Minister give way one last time?

Steve Brine: One last time and then I must conclude, because I want to touch on prisons.

Dr Whitford: Obviously, this debate has emphasised the importance of diagnosing people and getting people to undergo testing. However, does the Minister see that it is much easier to encourage people to undergo a test when they can be promised that they will get effective, tolerable treatment that will be successful, as opposed to their perhaps being left languishing on what is now relatively old-fashioned treatment that is full of side effects?

Steve Brine: Yes, of course, and that is why I have talked about the local networks, and about early detection and prevention. What the hon. Lady says is self-evident.

The Hepatitis C Trust, which has rightly received many plaudits today, has played an important role for us in recent years in piloting pretty innovative ways of increasing testing rates, through mobile testing vans—for example, in the constituency of my hon. Friend. Friend the Member for Southend West—and the pharmacy-based testing work that I mentioned, as well as the introduction of peer educators in prisons, which a number of people have mentioned today. My hon. Friend mentioned his visit to Wandsworth Prison, which he was right to say is a very good example of peer educators working.

The subject of prisons is one the House knows is of great interest to me. Given the number of people who, sadly, actively inject drugs across the criminal justice system and the custodial system today, it is obviously likely that a significant proportion of those in the infected but undiagnosed population will have spent some period at Her Majesty’s pleasure.

As part of the health services commissioned for those in detained settings, an opt-out testing programme for blood-borne viruses, including hepatitis C, in adult prisoners was fully implemented across the English secure estate last year, 2017-18. Because of the expected higher rates of prevalence, opt-out testing for blood-borne viruses is offered in 100% of the prison estate in England, as part of the healthcare reception process, although, it has to be said, with differential success and outcomes. We are currently addressing that through a range of initiatives that have been put in place to improve the delivery of testing and the provision of successful treatment in prisons. So, in some areas the whole-system changes are being piloted.

My shadow, the hon. Member for Washington and Sunderland West (Mrs Hodgson), made the very good point that we’ve started, so we must finish. Absolutely; as I said earlier, it would be a very inefficient use of public resources to start treatment inside the secure estate. That is why, when we talk about through-the-gate treatment, that treatment must include health treatment. That is something—I cannot believe that my hon. Friend the Member for Bracknell (Dr Lee) is getting a second mention in this debate; I see that he is on his feet in the main Chamber—that I look forward to talking to the new Minister with responsibility for prison healthcare about, whenever he or she takes up that lucky role in future hours or days.

Let me take the opportunity once again to congratulate the all-party parliamentary group on liver health. It is not the first time that I have said this and it will not be the last: so much good work in this place goes on in all-party parliamentary groups, including some much informed debate. As a Minister—I am sure that others in the Chamber who have been Ministers would concur—I think that those groups are incredibly valuable to us and to the work that we do.

That is why I spend so much time listening to all-party parliamentary groups, helping them, including helping them to launch their reports, and then writing back with line-by-line responses to their reports, because their work is so vital to us. It is critical on a public health issue such as this, which, as I said at the start, is often overlooked and sometimes brushed under the carpet as being a little bit, “We don’t want to discuss this.” That is because, exactly as the hon. Member for Central Ayrshire said, there may even—God forbid—be an unspoken feeling that, “Well, with their behaviour they had it coming.” She is very brave to say it and I have no qualms in repeating it, but I think that feeling does exist.

The measures that I have spoken about today are not a panacea; the target is an incredibly challenging one for us. However, the Government, Lord O’Shaughnessy—who speaks for us in the other place on this subject and shares an office with me—and I are all passionate about this issue. We passionately believe that it is something that we can and will beat. We are taking it seriously, and we are in a good position to push forward and significantly reduce the burden of hepatitis C, in line with our commitment on it.

This debate shows us that improvement in hepatitis C testing and delivery of treatment are best delivered where there have been whole-system improvements. The Government, together with the wider health and social care system, have got to take all the opportunities available to us to address this key, but sometimes overlooked, public health challenge.

3.47 pm

Sir David Amess: I am really happy with what my hon. Friend the Minister has said about all-party parliamentary groups because, sadly, the recommendations of the all-party parliamentary group on fire safety and rescue were not listened to over a number of years, and of course we had the Grenfell disaster. However, I get
the distinct impression from my hon. Friend that he is listening to the recommendations of this report by the all-party parliamentary group on liver health.

It has been a great privilege to learn one or two things from other colleagues with more expertise in this field than I have. In every sense, this debate has been time well spent, and I am very, very optimistic about the future progress towards eliminating hepatitis C. I thank all colleagues for the time that they have spent here in Westminster Hall, participating in this debate, and I very much look forward to celebrating with my hon. Friend the Minister within a few years the elimination of hepatitis C.

Question put and agreed to.

Resolved,
That this House has considered elimination of hepatitis C.

3.48 pm
Sitting suspended.

Logbook Loans

3.56 pm
Yvonne Fovargue (Makerfield) (Lab): I beg to move,
That this House has considered protection from logbook loans.

It is a pleasure to serve under your chairmanship, Sir Edward. I really did not expect to have to bring forward this debate, and it is with regret that I do so.

Until about four weeks ago, a Bill to reform logbook loans was expected in this parliamentary session. It was included in the Queen’s Speech, the Law Commission was tasked with drafting the text and the draft Goods Mortgages Bill was duly published last December. In effect, that was it—we were ready to go. And then the Government pulled the plug. On 14 May, we were told that there would no longer be a Bill and that the matter was to be referred to the Financial Conduct Authority—the FCA—in what looked like a kick into the long grass.

Many of us are nonplussed by the Government’s U-turn. The Bill is largely uncontroversial and will have all-party support. It is undeniable that in their present form logbook loans cause great consumer harm. To say that reform of the loans is long overdue is pretty much an understatement. The case for reform is absolutely overwhelming. Bills of sale—their official title—are governed by two statutes that are dated 1878 and 1882. They were designed in a different age to be used in a different age. They are antiquated and have no part to play in the consumer credit marketplace of the 21st century.

Andrew Bailey, the FCA’s chief executive, recently called them “quaint”. They are a lot more than that: they are downright dangerous. Although they are not a huge part of the high-cost credit market, they affect a really vulnerable group. Citizens Advice, for instance, found that clients with logbook loans had twice as many debts as those without.

Logbook loans are a way for borrowers to use their car or van as security for a loan. The problem for the borrower is that the vehicle becomes the property of the lender until the loan is repaid. If any payments are missed at any time during the agreement, the vehicle can be repossessed without a court order—and that routinely happens, not least because the interest rates are so high. One example from logbookloans.com is that if a customer borrows £850 over 18 months, they will pay flat-rate interest of 132%, with an annual percentage rate, or APR, of 450%. That equates to 18 monthly payments of £140.70, and a total cost of £2,533.

I will give a case study of someone who took out a logbook loan. Sophie lives in Greater Manchester—that is around my area—and she needs her car to get to work. Two years ago, she took out a logbook loan for £2,700, with payments of £688 a month. She kept up with them until recently, when she had to pay a large council tax bill and she fell into arrears. The logbook loan company repossessed her car. She tried to negotiate with the company, but it would not listen. It demanded the total cost of the loan—£7,000—in full and is threatening to add charges. She cannot get to work, as she has no car, and she has a loss of income and the risk of losing her job.
I do not think borrowers always realise what they are letting themselves in for. Many borrowers are desperate. Logbook loans are aimed at people who cannot borrow from anywhere else. They do not fully engage with details of the loan agreement. Frankly, the tone of the advertising is irresponsible. I quote from an online lender, Mobile Money Ltd:

“You could get a same day loan without leaving the house. Try out a loan from the UK’s longest running logbook loan lender. Click ‘Apply Now’.”

To suggest that someone should “Try out a loan” makes it sound more like pizza delivery than a serious lender. Those words are not appropriate.

The other key fact is that logbook loans do not just disadvantage the original lender; unlike any other kind of lending, they can also harm people who are not party to the loan. Someone who buys a car that, unbeknownst to them, is subject to a logbook loan can have it repossessed because the original owner did not keep up repayments. There is nothing they can do about that, even though they bought the car in good faith. It is not even as though they could do a hire purchase investigation check, which can be done with cars bought on hire purchase. That is a real legal loophole.

The Law Commission measure—the Goods Mortgages Bill—would have given borrowers protections similar to those offered by hire purchase law. They would have gained a new right to hand back their car to the lender without being responsible for the remainder of the loan, and there would have been a new requirement for lenders to obtain a court order before seizing goods, provided that the borrower had paid off a third of the loan and had opted in.

Crucially—and this is one of the issues on which the Financial Conduct Authority cannot help—a private individual who bought a vehicle in good faith and without knowing it was subject to a logbook loan would become the owner of the vehicle and not be made liable for the loan. What protection can the FCA offer to an innocent third-party purchaser?

We all agree that it is not a perfect Bill. Some have questioned whether vulnerable customers should have to opt into protection, instead of it being by default. We might ask why protection does not extend to those who have paid off less than one third of the loan, but, taken in the round, the Bill would have been a huge step forward.

That brings me to the obvious question: why on earth is the Bill being dropped? Some say it is because of a lack of parliamentary time, but that cannot possibly be the case. Only last week, I spoke on Second Reading of the Non-Domestic Rating (Nursery Grounds) Bill, which ironed out an anomaly in the business rate system as it applies to agricultural land. The Minister confirmed in that debate that the anomaly has applied to just a handful of people since it came to light in 2015, yet we had a Government Bill on the Floor of the House to deal with that handful of people.

Logbook loans affect 50,000 people a year, yet we cannot find time for a Bill? What is more, a Law Commission Bill, as the Minister knows, is able to use a special parliamentary procedure that minimises time on the Floor of the House. The procedure is designed to save parliamentary time, so it would be ironic if a lack of it was cited as an excuse not to bring it in.

There must be some other reason. Is the legislation more controversial than expected? If so, how? Could the issues not be dealt with by the parliamentary process? It could be argued, of course, that since the FCA has been undertaking a review of high-cost credit, the matter of logbook loans should sit with the regulator. However, the FCA explicitly declined to include the matter in the recent review, despite the fact that it took on responsibility for regulating logbook loans in 2014. Of course, the FCA knew that the Law Commission was taking on the task of looking at the issue and that many of us have had meetings with the Law Commission about it, and that may have prompted the FCA to shelve the issue. That could be seen as quite reasonable in the circumstances.

Even so, it means that the regulator is on the back foot and that wholesale reform, which is what we need, is years away. I have questioned before and I question again whether the FCA has the powers to deliver the protections that would be enacted by the Goods Mortgages Bill. The consensus is that we need a new statute, and the FCA cannot deliver that. Clearly, the FCA has not prioritised logbook loans, and it needs to do so now.

The FCA could do a number of things. For example, it could impose an interest rate cap and ban top-ups or roll-overs, as it did for payday loans. It could enforce more stringent affordability checks. It could do something about the kind of irresponsible advertising that abounds in the industry, or it could prohibit completely any products that allow for summary repossession. If it plans to do any of those things, it needs to do so quickly.

Frankly, anything the FCA brings forward can only be a sticking plaster—a temporary cover that will not heal the wounds. Outdated legislation, designed for the purchase of hansom cabs and distorted to fit a modern world by unscrupulous lenders, is causing misery for tens of thousands of the most vulnerable consumers every year. I urge the Minister to reconsider and allow the Law Commission Bill to make the progress that was promised in the Queen’s Speech.

4.6 pm

The Exchequer Secretary to the Treasury (Robert Jenrick): I am grateful to the hon. Member for Makerfield (Yvonne Fovargue) for raising this issue and for the leadership she has shown on it. She has been following it for some time. The constituents and cases that she has raised are very serious. I am grateful for her involvement in the matter.

Like the hon. Lady, we believe that consumer credit plays an important role in society. It helps individuals spread income and costs over time and cope with unexpected financial shocks. However, it is vital that consumers are treated fairly and that we ensure that their interests are protected, particularly in the case of high-cost products, of which logbook loans are an important example. The hon. Lady set out a number of instances where the costs incurred in some logbook loans are egregious. One would have to question whether individuals should take out such loans.

It is worth pointing out that the number of logbook loans has fallen substantially in recent years. They now make up a very small percentage of the wider high-cost credit market. The total value of outstanding logbook
lending, and rent-to-own.

Yvonne Fovargue: Does the Minister agree with me and Citizens Advice, who fear that the message being sent by not putting the Bill forward will increase and mainstream logbook lending?

Robert Jenrick: I hope I can give some explanation over the course of my remarks as to why we have chosen not to proceed with the Bill at the moment. My opening remarks that the market has shrunk considerably is not to diminish the concerns that the hon. Lady has raised about some of those logbook loans. It is important context to the debate, though, that the market appears to be shrinking, at least for the moment.

The number of bills of sale registered at the High Court has fallen from 52,000 in 2014 to around 35,000 in 2016. That compares with 760,000 people taking out a total of 3.6 million payday loans in 2015 alone. Logbook loans remain an important, if small, part of the loan market and are worthy of attention.

In September 2014, the Government asked the Law Commission to examine the Bills of Sale Acts—the legislation that underpins logbook loans. As the hon. Lady set out, those Acts hark back to a long-distant era. There were concerns over stories of consumer exploitation and high levels of interest, and she has given further examples. Those stories include vehicles being seized too readily on default and unwitting third parties buying a vehicle subject to a logbook loan. All of those things are cause for concern. The Law Commission concluded that the Bills of Sale Acts were out of date and recommended that they should be replaced with a new Goods Mortgages Bill. The Government were sympathetic and agreed that the Law Commission should prepare a draft Bill, which it did, consulting on the draft clauses in the summer of 2017.

Separately, in September 2017, the Government, again showing our good faith and desire to progress the matter, consulted on the aims of the Bill and published the consultation response in May 2018. Although the consultation responses undoubtedly showed a degree of concern about the logbook loan market and broad support for the proposed approach set out in the draft Bill, many stakeholders raised significant concerns, which I will discuss in a moment. Overall, there was less agreement on the detail of the draft Bill than we would normally expect following the Law Commission process, and less than we would wish to see before being ready to proceed with it.

Let me set out a few of the concerns from different stakeholders. Consultees suggested that the draft Bill did not do enough to provide clarity for courts, and expressed concern about its requirement for consumers to opt in to the court process, rather than its being the default. Some consultees also said there needed to be more clarity about the circumstances in which a lender could repossess a secured good without requiring a court order—an important issue, to which the hon. Lady alluded. Other consultees highlighted the risk of borrowers exploiting the protections in the draft Bill for fraudulent purposes.

In addition, a number of consultees argued that the draft Bill could encourage lending to vulnerable consumers by making it easier for consumers to grant security over their goods. Access to credit is obviously an important issue to Members on both sides of the House. The Government are determined to ensure that any legislative changes lead to better outcomes for consumers and do not have unintended consequences.

Having given careful thought to the concerns raised in the consultation, we decided that it was not the right moment to take forward the Bill as currently constituted, and that we wanted to give the matter further consideration. In the light of that decision, the Financial Conduct Authority has decided to look more closely at the logbook loan market, and we welcome that. The FCA will use its supervisory and policy tools to assess whether further action is required, including new rules that are necessary to protect consumers.

The hon. Lady has already set out examples of some of the actions that the FCA could choose to consider, at its discretion. The Government believe that at the moment that is a more proportionate approach, given the declining numbers in the logbook loan market and the concerns that were raised in the consultation about the Bill as currently drafted.

Yvonne Fovargue: Could the Minister explicitly say what powers the FCA has to protect innocent consumers who buy cars in good faith, who cannot check anywhere whether they are subject to a logbook loan, and yet who can still have them repossessed?

Robert Jenrick: That is one of the matters to which the FCA will need to give careful consideration. We hope that it will take that forward. It is also considering, as the hon. Lady suggested, a number of measures with respect to the high-cost credit market. It published an update on 31 May announcing a package of initial measures to tackle problems in the high-cost credit market, including a proposal to cap the cost of rent-to-own.

Those measures show the seriousness with which the FCA is taking the wider issue, and I hope that it will give this issue the consideration that it deserves. The hon. Lady has raised one of a range of issues to which the FCA will need to give careful thought. This is an example of the FCA using the powers that it has been given by the Government to protect consumers. We will continue to work closely with the FCA as it undertakes its review of, more generally, the high-cost credit market and, in particular, the logbook loan market. We will consider whether the Government should take any further action in the light of its findings. This is not the end of the story. We want to give the matter a great deal more thought.

Alongside that, the Government are taking further action to protect borrowers. We are supporting families to build their financial literacy through the Money Advice Service, and £27 million is provided every year through MAS to co-ordinate financial education in schools and to improve the public’s financial capability. A further £49 million was spent in the previous financial year on providing more than 440,000 free-to-client debt
advice sessions across the country. We want to continue to look for measures to protect the public and to improve financial literacy and awareness.

I know that the hon. Lady is disappointed by the Government’s decision at this stage. I reassure her that the decision was not taken due to pressures on parliamentary time, although that is always a consideration when introducing legislation. The Government’s primary objective is to ensure that, if we legislate, we do so correctly, and bring in interventions that will protect consumers without unintended consequences. That is why we decided, following the consultation, that the Bill was not yet in the right place.

Question put and agreed to.

4.16 pm

Sitting suspended for Divisions in the House.

6.51 pm

Sitting adjourned without Question put (Standing Order No. 10(14)).
Westminster Hall  

Wednesday 13 June 2018

[JAMESGRAY in the Chair]  

Business Rates

9.30 am  

Rachael Maskell (York Central) (Lab/Co-op): I beg to move,

That this House has considered a review of the business rates system.

Thank you, Mr Gray, for being in the Chair for this important and timely debate.

Almost every day, we learn of a chain of retail stores or local businesses closing its doors, resulting in job losses, people’s lives being thrown into turmoil and empty premises along our high streets. The Centre for Retail Research has said that 10,000 stores will close this year alone, amounting to 384,000 jobs that are forecast to be lost over the next four years—unless, of course, the Government take urgent action now.

Businesses face many challenges at this time, not least the cost of property rental, and that leads into the issue of business rates. I would like those issues be addressed in today’s debate and I look forward to hearing the Minister’s response, because it is time for action to rescue businesses from the current crisis.

Front Street in Acomb once bustled with an array of independent stores serving the west of York. Those premises are now being exploited by foreign investors who are charging extortionate rents, which in turn is driving up the rentable property value, and thus business rates. Today, empty units line the street. York’s city centre is following suit, as are towns and cities up and down the country. This cannot continue to drag on.

The ever-inflation-busting rental levels have over-inflated the local property market. That is exacerbated by the empty property tax loopholes, resulting in units being left dormant, further blighting our beleaguered high streets and letting the owners of those properties off the hook.

The Valuation Office Agency has made its calculations based on this overheated market and set excruciatingly high business rates, as determined by the Government. When I hold business meetings across York, everyone feels that they have been failed by the business rates system, and as the situation gets worse, they want to know why the Government are forever providing sticking plasters when major surgery is required.

In York, where the retail sector accounts for 13% of employment, the toll is being felt. However, it is not only the retail sector that is affected. The hospitality sector employs 2.9 million people across the UK and although it pays 10% of all business rates, the sector’s share of turnover is just 3%—as the sector puts it, it has made an overpayment of £1.8 billion.

Other businesses are also being impacted. In the last couple of years, I have witnessed major employers—employing hundreds of people—leaving the city of York, citing excessive business rates as the root of their decision, and moving to areas with lower business rates. The 2015 valuation took a particular toll on businesses in York. We have had increases as high as 600% for pubs and retail outlets, including a bicycle shop in the city. Our city centre is changing dramatically, with the loss of national chains. High rental rates and business rates are to blame.

Ruth George (High Peak) (Lab): My hon. Friend is making an excellent speech setting out the key concerns for retailers and other businesses. Does she agree that the average £3,600 increase in rates for small shops over the next five years is contributing to the demise of high streets up and down the country?

Rachael Maskell: My hon. Friend makes an excellent point, because it is the small retailers that are really struggling to survive, and it is an issue of survival in the current age. Of course, business rates are at the heart of the decision by businesses as to whether to remain open or close.

Other organisations have been brought to my attention that are even worse affected than those with the 600% increases I have cited. For instance, there are organisations that have had rooftop solar panels installed and then seen their business rates rise by as much as 800%, and all for doing the right thing. The Valuation Office Agency is discussing similar measures for battery storage, all at a time when green energy and microgeneration should be promoted; instead, people are being deterred from doing their bit for the environment.

Let us remind ourselves that business rates are set by multiplying the valuation rate—that valuation rate is based on the market rental value, as if the property was being placed on the open market—by a multiplier set by Government. In England, that is 49.3p, or 48p for small businesses. It cannot be raised by more than the rate of the retail prices index, or the consumer prices index from this year.

There are certain relief schemes in place, three tiers of arrangements to reduce the burden on small businesses, and an array of different arrangements for charities, rural businesses and community sports clubs. Last April, temporary relief was also introduced, with an additional relief fund of £300 million, which was to be shared between local authorities around the country over four years. Pubs with a rateable value above £100,000 were given relief at a flat rate of £1,000, which is subject to current state aid rules. I would like the Minister to examine that specific issue. There are also relief schemes for fibre infrastructure, local newspapers and empty properties.

York received £788,000, but the local council’s governance of the money provided by that fund has been extremely poor. It started with an application process in May to provide grants to businesses that were struggling and that could guarantee—that is, guarantee—they would be sustainable. However, because businesses were unable to give such an assurance, they were unable to apply. In December, the council therefore changed its mind. All businesses with premises that have a rateable value under £200,000 and that had experienced a business rates increase of over 12.5%—except for national chains and local government premises—automatically received a discount, meaning that the council did not even consider hardship issues; the discount was an automatic entitlement. The Government should have provided far better guidance for councils that were handing out better guidance for councils that were handing out
taxpayers’ money; the councils really did not have the understanding of what was required of them to support businesses.

This year, York will receive £383,000; next year, it will receive £158,000 and the following year just £23,000. That tapering leaves businesses in an incredibly vulnerable position, without any long-term solutions being provided by the Government. Businesses are crying out for such solutions.

York is not unique, but it does provide the Government with an excellent case study as to why the business rates system is failing. I will provide some examples of the systematic problems that my city is facing.

Retailers in high-value rental areas pay the highest rates, whereas companies selling goods on the internet from warehouses in low-value rental areas pay the lowest. For example, Amazon is the largest retail business in the UK, with a warehouse of 65,000 square feet outside York. In York, Amazon pays £1.4 million in rates. Marks & Spencer in York city centre is seven times smaller in size, but it still pays £500,000 in business rates, or about a third of the amount that Amazon pays.

The smallest stores pay the most. For example, in York city centre small shops pay up to £950 per square metre, whereas larger companies benefit from a special larger store rate of £110 per square metre. If all companies in York paid the same as small businesses in York, Marks & Spencer would have a rateable value of £9 million and Amazon would have a rateable value of £61 million. Across the sector, the perception has grown that the Valuation Office Agency gives large companies favourable treatment to avoid lengthy and costly disputes, and clearly small businesses are suffering.

Bill Esterson (Sefton Central) (Lab): The comparison between what is paid by large out-of-town and online retailers and what is paid on high streets is extremely well drawn. Does my hon. Friend agree that the problem is that unless something is done—and it can only be done by the Government—to create a fairer business taxation system to even up the situation between online sales and out-of-town stores is challenging. In addition, such businesses then have the weight and burden of business rates to pay on top of high rental values for their properties. The sums simply do not add up, and it is driving them out of town.

That situation is why we are seeing so many closure notices on shops. Some shops have been part of communities for decades and are sadly no longer there. That is certainly true of York. Our communities are losing their identity as a result and that is changing what happens in our town and city centres. I could relate so many stories from York of how independent shops have disappeared to be replaced by very large pubs, established and other such premises. That changes the whole context of our city. It is vital that we get on top of the business rates issue.

We have to recognise that businesses are penalised when they try to do the right thing, as equipment adds to the rateable value of business premises. Companies are penalised for making improvements to their businesses. Labour’s manifesto promised to exclude all new investment in plant and machinery from future business rates to encourage investment. We want to see employers investing in the future of their business, but they are deterred. If that investment would put up their rateable value, why take those steps when they are already struggling?

Ruth George: Businesses often have to invest in CCTV because of rising crime rates. In doing so, they can help the police by providing footage to help catch offenders, but they are then penalised for doing the right thing and helping tackle crime when their business rates increase due to that investment. Does my hon. Friend agree that is an anomaly that must be looked at?

Rachael Maskell: My hon. Friend makes an excellent point. When people try to improve their community, and not just the business itself, that increases the rateable value. Business rates are built on that premise. In York, a company installed air conditioning. That might seem an obvious thing for a business to do, but doing so increased the rateable value by £275. That business now sees air conditioning as a negative, rather than a positive for itself, its staff and the public.

We have to be honest: business rates are an extremely antiquated system that is not fit for purpose in our globalised digital age. The UK now has the highest level of online shopping in the world, and it is essential that the duty that is paid catches up with reality. We know that online shopping is increasing because when we go to our high streets, the stores that shoppers want to engage with are no longer there. There are also the wider trends we see across the world.

We need to ensure that we invest back into our city centres to revitalise them and ensure that they keep their identity. That is especially important for a city such as York, which has such a great heritage and attracts 7 million people a year. We want to ensure that people continue to come to our city not only for all the wonderful attractions, but to utilise the vibrant shopping area it once was.

Last April, following the revaluation, the average small shop was hit with an extra £3,663 in rates over the next five years, while many large online retailers saw their rates fall. Large supermarket chains saw a 5.9% reduction in their rateable value. There is huge inequality within the retail sector. Pubs are also being put at risk. They pay 2.8% of the total rates bill, yet contribute only 0.5% of the rate-paying business turnover—an overpayment relative to turnover of £500 million. That figure will increase by 17% by 2021-22.

It has been cited that the transitional relief scheme has been of detriment to some businesses. For instance, House of Fraser saw a 10% rise in business rates last...
year. As has just been announced, it is looking to close 31 stores, of which 28 have been negatively impacted by the relief scheme. It is clear that huge inequality has grown with the advent of large out-of-town retail centres and the online industry. The business rates system simply does not work in the modern age.

Reform has been called for, not least by the Business, Innovation and Skills Committee, as was, which in 2014 recommended changes to the business rates system. The Committee called that system “a significant barrier to innovation.”

It recommended a Government review of the system to examine the questions “whether retail taxes should be based on sales, rather than property; whether the retail sector should have its own form of taxation, calculated in a different way from other businesses; and how frequently the revaluation of Business Rates should take place.”

Since those recommendations were made, York Retail Forum has not been idle. It has carried out a thorough piece of work to look into the alternatives, and it has concluded that the best way forward for its businesses is to have a turnover tax. The Centre for Retail Research has come to the same conclusion. Clearly, if that formula were to be adopted, there would need to be tapering to address businesses with a high turnover but low profits, such as small convenience stores.

Local entrepreneur Phil Pinder, who chairs York Retail Forum, has looked at the figures. When just a 1% levy is placed on all online and high street businesses, the resultant revenue exceeds the current total raised by business rates. Governments gain, small businesses gain, local economies gain, high streets are revitalised, and tax-dodging multinationals such as Amazon have to pay up. While the benefits for Government would be the same, introducing a turnover tax would be like handing thousands of pounds to small businesses and would help them to invest in developing their businesses and employing more staff.

Equally, a profit-based levy would provide for a fair system: the more profit, the more a business would pay proportionately. That is favoured by many businesses, as they believe that nothing could be more equitable, and certain exemptions would not be required. With either model, there could be some tapering, so that those with the greatest returns paid more and those with the least paid less. Social interventions could be made—for instance, some relief for those who invest in microgeneration of energy. There is scope to use the system to drive forward our future economies. Either way, we need to find a new way to bring in revenue from businesses to replace the business rates system—perhaps through another non-domiciliary, property-dependent levy. Whichever system is used, it would clearly be a lot easier to operate, to collect revenue and to reinvest in communities and business growth.

One other point that I must raise in today’s debate is that the Valuation Office Agency is not fit for purpose. The Speaker to identify who was responsible for what, and Industrial Strategy, and from there to the Treasury. That resulted in my having to raise a point of order with the Speaker to identify who was responsible for what, and even then, discussion ensued on the Government Benches.

Businesses are saying that they cannot wait any longer, and the daily announcements of closures testify that is the case. The Government have to get on and start their major review of a new business levy. In introducing today’s debate, I am calling time on this broken system on behalf of businesses in my city and up and down the country, and asking the Minister to carry out the following with immediate effect.

First, I ask the Minister to open a complete review of a new business levy system to report in the autumn, with recommendations being made in time to be implemented in this year’s Budget. Secondly, I ask him to open the consultation to all businesses across the economy and to commence the review before the summer. Thirdly, I ask him to identify some case studies to gain an in-depth understanding of why the current system is failing. I suggest York would be a good case study for the Minister to look at, and I am sure other colleagues would be helpful in advising why their communities would provide good examples too.

Fourthly, I ask the Minister to look at the offshore rental market and its impact on our high streets and businesses, and at the extortionate rents that people have to pay. There is often no connection between the local community and the offshore business entrepreneurs who seek to reap as much revenue as they possibly can, at the expense of the high street. We need reparation there, too, because that feeds into the business rates crisis that we see today.

There is an existential crisis on our high streets as they are drained of the vital enterprises that give life and character to our communities. There is no scope for further delay. I urge the Government to bring a laser focus to this issue, and I call on the Minister to act. I trust that he will be willing to meet me and other hon. Members to help move the issue forward for the sake of our communities. There needs to be a radical reform of the system. The Chancellor said it was his desire to introduce today’s debate, I am calling time on this crisis that we see today.

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I trust that the Minister will respond clearly to the matters I have raised and tell us what actions he will take to secure a new business levy system that is in place in time for an announcement in the autumn Budget.

9.51 am

Sir Hugo Swire (East Devon) (Con): I congratulate the hon. Member for York Central (Rachael Maskell) on securing this important debate. Anyone looking into this Chamber from outside will be surprised by the lack of Members taking part in this debate on an important
issue—a non-political issue, almost, that affects all of us and our high streets all over the country. Perhaps Members feel that there is no point in rehearsing the arguments because they will not change anyone’s mind and the Government will do nothing. I know better than that because I consider the Financial Secretary to the Treasury, my right hon. Friend the Member for Central Devon (Mel Stride), to be a personal friend of mine, as well as a neighbouring Member of Parliament in Devon. I know he cares as passionately about his high streets in Crediton and elsewhere as I do about mine in Exmouth, Budleigh Salterton and Sidmouth.

The hon. Member for York Central made extremely good points and I wholly concur with her. I went with a company I am no longer involved with to the Valuation Office Agency, and it was a truly horrible experience—we saw overwhelmingly underpowered officials there. I know it is an arm’s-length body, but I urge my right hon. Friend the Member for Central Devon (Mel Stride), to be a personal friend of mine, as well as a neighbouring Member of Parliament in Devon. I know he cares as passionately about his high streets in Crediton and elsewhere as I do about mine in Exmouth, Budleigh Salterton and Sidmouth.

My right hon. Friend—unlike many others in the House, unfortunately—comes from a business background. He is a successful businessman, so his sympathies lie naturally with the business community. We face what I described in a public meeting I had in Sidmouth a couple of weeks ago as an unhappy coincidence: an unhappy coincidence of people’s behavioural patterns when purchasing goods. I am a living example. Without making a gender-based remark—well actually, I am going to make a gender-based remark—I think the majority of men probably shop more online; I certainly do the majority of my shopping online. There is a gravitation towards that, coupled with the issue of business rates and the perfectly hideous decisions by successive Governments to be too loose in granting planning permission to out-of-town megastores. That has not been mentioned so far this morning, but it is also partly responsible for the desecration of many of our high streets.

We should not be Luddites. We cannot turn the clock back. We should remember that many mews houses were used for horses 100 years ago, but they are now converted and life moves on. Patterns change and the pattern of life accelerates, so we should move with the times. Interestingly, a recent report showed that the loss of shops on the high street is actually less than the public’s perception. None the less, it is a major issue.

I pay tribute to the dogged determination of a local reporter, Beth Sharp of the Sidmouth Herald, who, along with Alistair Handside, who does so much for tourism in the south-west and rightly got recognised in the Queen’s birthday honours list, helped organise a very good meeting I went to with some of the retailers in Sidmouth. It is clear that the unhappy coincidence of events is having a negative effect. A hotelier at the meeting, Mark Seward, said that his rates have increased by 244% in a decade—they are now £17,000 a month. That is what he has to make before he pays any of his suppliers and before he pays the living wage to his employees. Before he does anything he has to pay money straight out.

It seems to me that we have not moved with the times. I had an interesting meeting with the Under-Secretary of State for Housing, Communities and Local Government, my hon. Friend the hon. Member for Rossendale and Darwen (Jake Berry), the other day. We talked about what new initiatives might come from the Government in relation to our high streets. The accepted wisdom now is that the Mary Portas review addressed some of the problems, but did not go far enough, and we now need to look at things in a different way. There are things that we can do.

In the meeting in Sidmouth, I gave an example. Some time ago I went to a shop in Sidmouth that sells kitchen utensils. I said, “How is business?”, and the shopkeeper said, “It’s terrible. Business is terrible,” so I asked why. I said, “Surely when it rains all the tourists come in here.” He said, “Yes, all the tourists come in here. Historically, they would have come in here, looked at all our kitchen utensils and thought they were marvellous. Then they would spend a little more time here. They would buy and then go home with these wonderful things.” He said, “Now they come in in the rain and look at all the stock. They see something they like—a nice kitchen utensil to better stir their concoctions at home—and what do they do? They whip out their iPhone, take a photograph of it and then go home and buy it online.” The shopkeeper said, “I am becoming a shop front for these products that I have had to buy anyway, which are now being bought online and undercutting me.” He has to pay the rates and Amazon or eBay do not, or not on the same scale, and that seems to be the kernel of the problem.

Then there is an issue where we have to tread carefully. I am very proud of some of the charities that I am involved with. I am vice-president of the West of England School and College for those with little or no sight—WESC—based in Exeter. I opened its charity shop in Sidmouth and I am proud that it can raise money in that way. We would all support charity shops. The problem is that charity shops now often sell new stock. Historically, charity shops sold things that we gave them. As a charity shop, it does not pay rates. Now they sell brand-new products often totally identical to those in the shop next door, but they can afford to charge less because they do not pay any rates. As part of a wider review we have to look seriously at charity shops. Perhaps the number of charity shops should be fixed at a certain percentage or perhaps there should be other ways of making sure they do not compete with those who are still obliged to pay rates.

There are practical things that the Minister and the Government can do. First, business rates are easy to collect, but they are no longer fit for purpose because of the changes in shopping behaviour. I agree with the hon. Member for York Central that we have to get smarter in how we tax online retailers. That is extraordinarily difficult, whether we call them tax avoiders or tax evaders—there is more than a semantic difference there. The point is that they are dominating the virtual high street, and it is manifestly unfair that there is no levying or taxation on them.

If we could come up with some smart way of taxing such people, we could either do away with business rates for or seriously support high street retailers; the issue is
not just about keeping shops open in our town centres, but what the community looks like. We have already suffered from identikit high streets, where every other shop is now a coffee shop. I am pleased to say that in Sidmouth and some of my other towns, such as Budleigh Salterton, there are still individual retailers. That is the way forward. Towns have to rediscover local retailers and offer something other than multiple chains. Clearly we need to look at finding a way of applying a levy to online retailers.

Secondly—this has been done in towns and cities up and down the country—we need to look at how we can shrink the retail space. We have to accept that we will not turn the clock back on how people shop. Very often the retail side of a town is too big for the town's needs. We need to look at how we can shrink the retail part of a conurbation, which has been done successfully in some places.

On the back of that, we need to look at planning and how we can make it much easier to convert former retail premises to residential premises. It is my contention that if we made some shops residential again, we could have starter homes and bring young families into the town. That would mean that there was a night-time community, which would in turn give birth to other things, such as 24-hour retailers, wholesalers or cafés. That would bring people back into the heart of town centres. That seems to me to be a way forward.

We also need to look at the thorny issue of parking. Very often, towns were designed not for cars, but for the old horse and cart. We need to be smarter about how we get people in and out of towns and how they can park. There needs to be much greater flexibility—perhaps two hours' free parking. Again, that is a problem for district councils, because that is one of the ways they raise money. We need to look at that as well.

We need to get much tougher with our planning regarding huge, out-of-town, American-style shopping conurbations, which I personally think despoil the countryside in an American-style way. We need to find a way to make it more attractive for huge retailers to come into our towns. That can be done without having a huge, hideous store. It can be done very cleverly, and has been up and down the country. We should be aware that big high street retailers such as Marks & Spencer are changing their entire shopping policy not through choice, but for survival. They are closing their stores down and doing more online because that is the prevailing mood. If that does not underline the issues and challenges, nothing else will.

This combination of things is hugely important: shrinking the size of the town; making it easier for premises to become residential; helping councils to allow people to come into the town and to park; looking at taxing the online retailers; and looking again at the rating system. Changes in the 2017 spring Budget meant that businesses with a rateable value of less than £15,000 would not pay the levy, but based on the way it is calculated, bigger stores have to pay.

I will say one final thing to the Minister. We cannot turn the clock back. The Portas review went so far. We now have to act very quickly to ensure that we preserve and enhance our high streets in the way that I have set out. Another issue, which we get the whole time, is that people hate having services taken away from them. What used to be our post bags, and are now our email inboxes, are highly active if something is being taken away from the local community—if the local shop, library or bank is going to close.

It is perfectly clear to me that more banks will close up and down the country as we move towards cryptocurrency, blockchain and so forth. The whole way of doing banking is going to change. We cannot stand in the way of that and say, "We must have the same services we’ve always had.” That will be a commercial choice made, quite properly, by commercial banks. More and more banks will vacate the high street. In turn, that will give birth to other things so that people can do their financial transactions. I do not know what that will look like, but something will replace them.

Given that we know that that is coming down the line, we have to act now to pre-empt it. I very much hope that the Minister will, with his Treasury colleagues, fulfil what we said in the manifesto we would do, and speak to other Ministers about having a wholesale review based on the Portas review, looking at how we can preserve our high street and help struggling businesses.

If it goes on like this, frankly there will not be any retailers at all; they will just close one after the other. I do not wish to be alarmist. As I say, the figures are not as bad as people think, but certainly in Sidmouth we have lost two or three in the last few weeks, and are set to lose more. The fact is that no one is replacing them. We need to be cleverer, and think in a lateral way to ensure that, yes, we tax people properly, but that businesses grow and remain accessible to our residents.

10.5 am

Mr Clive Betts (Sheffield South East) (Lab): It is a pleasure to serve under your chairmanship, Mr Gray. I congratulate my hon. Friend the Member for York Central (Rachael Maskell) on securing this important debate about the relevance of business rates to our local communities, and the impact that they may be having on them.

I may approach the debate slightly differently, from a local government perspective, because I have the privilege of chairing the Housing, Communities and Local Government Committee, which has looked recently at business rate retention. The Committee will also look at the future of the high street in an inquiry for which we are taking evidence.

First, I am pleased that the motion moved by my hon. Friend is about a “review” of the business rates system. I think that is important. I wish to begin by saying that I hope we end up with a review rather than a complete abolition of the system. I am sure that the Treasury will be the first to say that abolishing taxes and starting again has slight dangers attached to it, in terms of a complete dislocation. Reorganisations on that sort of scale rarely go well.

I would also argue that property tax is quite important. We tax many things in this country. Nobody particularly likes taxes, but taxing property in some way is quite an important element of our overall taxation system. Of course, households pay a property tax—through council tax at one time. Some of us have been around in various forms of representative government long enough to remember when we had a rating system that covered both domestic and non-domestic properties. The change...
was made when the poll tax was brought in, and business rates were effectively nationalised and council tax came in instead.

Secondly, we have to make it clear that business rates are an important source of local income for councils. Councils have a Government grant, council tax and business rates—that is basically it. They can raise certain charges, but those are their meaningful sources of money. I would strongly argue, and the Committee has, that over time we should find more ways for councils to raise money at a local level, so that local people can see accountability and the direction between the money they pay and the services that they get. However, that wider discussion is for another day.

The issue is becoming more important because in 2020 the Government intend to move to 75% business rate retention from the current 50%. Some pilots are doing 100% around the country. Increasingly, it is not about merely the totality of business rates, and what is raised in a local area is extremely important for that council. The Finance Bill before the election was going to move to 100% business rate retention. I am disappointed that we have stopped at 75%. The Government say that they will look in the future to moving to 100%, but that makes it even more important that we do not just tear it up and start again.

Matt Rodda (Reading East) (Lab): I urge my hon. Friend and colleagues to consider the importance of continuing the pilots for retaining 100% of business rates, which many local authorities in the pilots find very effective. The Berkshire unitaries all have a one-year 100% retention, and they very much wish to continue that. If the Minister considered that, I am sure it would be greatly appreciated in our county.

Mr Betts: That was a very helpful intervention. It shows that some very interesting things are going on at a local level. Very often, ideas begin in local government, are tried and tested at a local level, and then are moved on to the whole country. It is very important that we do not simply say that now we want to move away from the whole system, and leave those valuable lessons unlearnt and unapplied.

The other point is that there is the capability for even more local control of business rates. In the days when we had domestic and non-domestic rates, councillors set the rates. They were nationalised when the poll tax came in and the control for setting the rate in the pound was moved to national level. That is an argument that we have had on the Select Committee. I would like to move towards more local control eventually and the system is at least capable of doing that. Business rates are also easy to collect and difficult to avoid, and we should see that as quite a strong benefit of the system.

The right hon. Member for East Devon (Sir Hugo Swire) raised some very pertinent concerns about the impact on high streets, which we see whether it is a village, a small town or a major city. We see derelict shops and the change that is happening. The Select Committee is therefore taking evidence in an inquiry on what high streets are going to look like in 2030. We are trying to look ahead to see what change is happening and whether people are planning for it.

A good point was made about the planning system. We ran an inquiry a few years ago on the high street, and it was stark then that very few councils seemed to be adapting their local plans in recognition of the change in shopping habits. Everyone can see it happening, but nobody seemed to be recognising it when they were looking at what town and city centres would be used for in the future. That will be an issue to address.

I know business rates are an issue for some small retailers, and I will come on to a couple of points we ought to address, but I suspect that that is sometimes an excuse when the real issue is the change in shopping habits. People are just changing what they do. Whatever shopping centre it is, people are simply choosing not to go there, or, as has already quite rightly been said, they go to have a look and then buy online. About 30% of retail shopping is now done online. There cannot be that degree of change without an impact on the retail floor space needed. All the signs are that that is going to continue, and I am sure it is one of the issues we will address in our inquiry.

We are also going to look at some of the things being done by retailers and the property owners, such as the company voluntary agreements that are coming out now as retailers try to negotiate their leases effectively, with a bit of pressure. The retailers did sign up to those leases and there are reasons why they did, sometimes on a long-term basis. We are going to have a look at the issues there as well.

We will also look at revaluations, but we have to remember that revaluation is a zero-sum game: it simply changes who pays what and does not actually raise more money. I am not saying that some centres and high streets are not disadvantaged, but somebody somewhere is probably gaining in the system, which is something that we have to think about.

Two points that we have to look at were powerfully raised by my hon. Friend the Member for York Central. In terms of retailing, the change in shopping habits is to businesses that by and large pay very little in business rates. That is absolutely fundamental if we are going to review the system. How do we get from a system that is a bit archaic and a bit stuck in a particular rut, to a situation where we can charge more for those big online retailers, and indeed the out-of-town shopping centres that were mentioned? Why do they pay relatively so little in rates, compared with the often smaller shops on the high street?

Ruth George: My hon. Friend is making some excellent points. Does he agree that we need to make sure that we incentivise British businesses that trade in this country and make sure that they cannot be undercut, whether on the high street or online, by companies that are directly importing and often avoiding customs and other charges by doing so?

Mr Betts: It is important that we look at those issues in wider taxation. I am not sure we can quite go there this morning, but we certainly need to look at whether we can tax some of those major companies—we know the international conglomerates of online shopping without necessarily having to name them—on the turnover that they have in this country rather than on the profits that they declare, as they move those profits into the lowest-tax countries. Of course that is what happens.
There is a wider tax issue about how we deal with some of those online companies, but in terms of business rates, the unfairness between them and retailers on the high street is very stark, as with out-of-town shopping centres. It always seems unfair. I have a major out-of-town shopping centre in my constituency, Meadow Hall, which provides a great service to people, is incredibly well used and provides a lot of jobs, but nevertheless the rates paid there are not comparable with those paid by many shops in the high street.

We also have to bear it in mind that business rates are not just about retail. Commercial, manufacturing and other businesses pay rates and there are some disparities. One point we picked up was that where manufacturing industry innovates and improves, it gets an increase in business rates on that improvement. There is something odd about taxing improvement in that way. We should also look at that. There are some other strange things, such as hospital trusts trying to claim exemption from business rates, or lower rates, under charitable status. I mean, come on—that is about moving money from one bit of government to another! The hospitals are saying they are not going to pay, but then local authorities do not get the money. The Government have to sort out those issues. There are some nonsenses around.

If there is a review and there are changes, we have to be very clear that, if the Government legislate for those changes nationally, there is a mechanism to compensate local government for any money that it loses collectively. After 2020, that is going to be quite a challenge. My understanding is that when the 75% retention of business rates comes in in 2020, local authorities will receive only council tax and business rates, which will then be redistributed in some form. There will not be a central Government grant, so if central Government are going to compensate local authorities for any change to the business rate system that reduces the amount of money in total going into local authorities, how will they be compensated? That is a challenge we all need to think about.

10.16 am

Derek Thomas (St Ives) (Con): I thank the hon. Member for York Central (Rachael Maskell) for securing this debate. It is one that I wanted to secure, but I was not successful, so I am glad to have the opportunity to contribute again on the subject. The Minister might just groan when he hears me speaking again—he has heard the issues several times before, and I was glad to raise them in last week’s Opposition day debate.

I agree with my right hon. Friend the Member for East Devon (Sir Hugo Swire) that the Minister is engaged and keen to resolve this issue, and I understand how complex and difficult it is, so I will not be unfriendly in my remarks, but I want to reiterate some points I have made before, as well as bring up an issue that Cornish colleagues have been concerned about, but which has not gained any traction here in Westminster.

Issues with business rates lead me to believe that the system must be scrapped. One reason for that is the significant housing issue in Cornwall. It is a real challenge to provide and retain houses for local families and for people who live and work locally and who want to work at the hospital or in public services perhaps, but who just cannot secure the housing they need.

Everyone who lives in a house, unless they are on some sort of benefit, pays council tax, but if someone has a property that they own and which they choose to use as a holiday let, it can be registered as a business and they can avoid paying council tax altogether and then claim small business rate relief. I live in a three-bedroom house and I pay £1,600 a year to live in that property; I contribute, as lots of families do. A property next door is paying no council tax whatever, so it is not contributing.

We have a cross-party campaign in Cornwall on this issue. The real tragedy is that it is possible for a second-home owner to advertise his property as available for rent and also claim small business rate relief. Other Cornish colleagues and I have been raising that issue since we were first elected in 2015. I do not think the Government are fully engaged and fully understand the challenge that that poses for a community such as Cornwall, which needs every penny it can get. There is an opportunity for the Government to close the loophole and collect more tax, completely fairly. I urge the Minister to look at that again and to give his Cornish colleagues some cheer when it comes to trying to address our housing problems.

On the high street, my constituency also has shops that have closed since Christmas. There are lots of reasons, which include ridiculous parking increases and an obvious change in customer behaviour, but there are also business rates. In the 2016 review, St Ives saw quite dramatic increases, along with London and the south-east and other areas. It was a significant shock to many businesses.

I have examples that show that the way business rates are calculated does not make any sense. It is not clear why one shop should pay one amount while the shop next door pays something completely different. If we could understand the business rates arrangement, and if it were equitable, perhaps it would not be such a problem, but some shops have no idea why they are being charged such sums, and the check and challenge process does not help them.

Behind the headlines about the big retailers and multiples, a number of small businesses are closing or threatening to close. I have said previously in this place that about 11 businesses have told me that they do not believe they will see it out to the end of this year. Their problem is that they own their building or have a stake in it, so they have to carry on paying business rates even if they can no longer function as a business. That is a depressing message to send to what we used to describe as hard-working families.

The issue of business rates is complex; it is not just about consumer behaviour and people choosing to shop online. I disagree with my right hon. Friend the Member for East Devon. I can barely work out how to enter my card details online, so I tend to go to a shop when I have a spare moment.

Let me give examples of what is happening in my constituency. In Penzance, No. 8 has 90 square metres and is paying £14,750 a year. No. 8A, a similar property next door—I cannot tell the difference between them—has 88 square metres, so 2 square metres less, and is paying £18,250. The Valuation Office Agency has not been able to explain the difference between them. The Minister has been engaging and helpful, and has asked about that. My office is working up a few examples of that nature so they can be investigated and studied.
In one sense, I am being fairly unhelpful, in that I am raising an issue about which the Minister has already invited me to give him details. We are doing that and will get them to him soon.

In Helston, Betfred has 132 square metres and pays £13,500 a year. Next door, an independent deli in a much smaller building of 123 square metres—I would love to show hon. Members the photos—is paying £16,250. We have done everything we can to support that shop with the Valuation Office Agency, check and challenge, and the local authority, and to try to get it some help. It has had a small reduction, but the bottom line is that the owners get out of bed in the morning and have to find that money before they do anything else. They cannot understand why Betfred—a multiple next door, with a much bigger shop front and, sadly, a busier shop—is paying £3,000 a year less.

In St Ives town itself, there is a fudge shop of just 20 square metres that pays £13,750. St Ives fudge is world renowned, so it is understandable that people want to shop there, but that does not justly the fact that the Government or the Valuation Office Agency have decided that for just 20 square metres it needs to pay nearly £14,000 a year. There are lots of examples in St Ives town of what seem to be arbitrary increases.

I recognise that the Government have introduced lots of measures to try to support such shops and have enabled local authorities to offer help, but we have not seen the benefit. One pub in St Ives has had real help from Cornwall Council, but those other shops have been left to find the money month in, month out. The problem with St Ives—this is the nature of the high street in a popular town—is that an entrepreneur who wants to make a go of running a shop in the town centre will have to pay whatever rent is required, because that is what the absent landlord asks for, and there are few other options. They last perhaps nine or 12 months. That shop with the Valuation Office Agency, check and challenge, and the local authority, and to try to get it some help. It has had a small reduction, but the bottom line is that the owners get out of bed in the morning and have to find that money before they do anything else. They cannot understand why Betfred—a multiple next door, with a much bigger shop front and, sadly, a busier shop—is paying £3,000 a year less.

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The real tragedy is that, previously, holiday makers would flood to St Ives and buy what they needed for the week. Now they arrive and the truck from the local supermarket, which might be travelling from Truro, will turn up and deliver all they need for the week, above the very grocery shop that would previously have sold to them.

That is about consumer behaviour, but the real challenge is that business rate charges are not equitable. More than a year ago, I got the Valuation Office Agency to come to St Ives to meet a room full of concerned business owners, and it refused to comment on any individual business. All it did was explain how we could do the check and challenge. Those businesses are in a busy part of town, so they might be expected to be financially successful. The owners work extremely hard day in, day out to make their businesses work—often, they do not have time to jump through the hoops, although many of them did—only to be told they are paying the right amount of money.

I want to ask for three things. First, we should review the review. I know we have another review, but we need to look at what happened 18 months to two years ago, and at why some shops and retailers saw ridiculous increases. We need to do something quickly to address that now, because those businesses are going out of business.

Secondly, the point about local authorities keeping the money from business rates is important, but town and parish councils also need support, because there is often a double devolution situation, with powers shunted down without money. In Helston, the town council—it would be great to have a pilot, along with York Central—would love to grapple with its town, make it vibrant and support the high street, but it has no money to do that.

If we are not going to get rid of business rates, it would be great to allow town councils to retain 1% or 2% of the business rates collected. For Helston, that would be about £200,000 a year, which would give the council the power to transform the shopping experience on the high street and support the very people who are spending that money. I know that 1% or 2% is a lot of money, but it is quite a small chunk of what is collected and would give the towns a fighting chance.

Finally, I recognise that the Government need to collect the 2.4%—

The Financial Secretary to the Treasury (Mel Stride): It is 24%.

Derek Thomas: Is it 24%? Golly! I know the Government need to continue to collect that money, and I am absolutely in favour of the transaction tax. A high street business should pay the same rate on an individual item as an out-of-town store or an online store pays. There must be a way to make taxes fair. There must be a simple way to make tax digital that enables the Government to continue to collect the money they need while ensuring the system is fair for all those who seek to sell items to customers.

I am grateful for the opportunity to speak in the debate, and I appreciate that the Minister is listening and wants to resolve the difficulties that high streets face.

10.28 am

Ruth George (High Peak) (Lab): It is a great pleasure to speak in this debate. I thank my hon. Friend the Member for York Central (Rachael Maskell) for securing it and allowing the very thoughtful discussion from all parts of the House to take place.

I am chair of the all-party small shops group, and I worked for the Union of Shop, Distributive and Allied Workers for longer than I care to remember before coming to this place, so retail holds a very special place in my heart, especially the small businesses that generate the employment that we need, but businesses and employment are under pressure.

We have heard from colleagues from across the House about how the 2015 valuation hit small businesses particularly hard. One convenience retailer in three saw an increase in its rateable value, as I mentioned earlier, and small shops have seen an average increase of £3,600 over five years—an average of more than £700 a year. That really hits their profit margins, which in most cases are already under threat due to changing shopping habits.
We have all heard about the need to support high streets up and down the country, from the city of York to high streets in rural areas such as in Devon, Cornwall and my own area of High Peak. I echo the sentiments of the hon. Member for St Ives (Derek Thomas) about businesses as holiday lets, which is an issue in the Peak district and elsewhere in the country.

Retail is not the only issue. In my area, pubs in particular have seen a huge increase in their business rates due to the change in how they are valued and the turnover basis. For example, the Anglers Rest, a community pub in the small Peak district village of Bamford, was on the verge of closing down but the community came in, took it over and brought that beautiful building back to life. It is one of the only services in the village, but it provides a post office and a village shop, as well as a pub and a café. It keeps that community thriving.

The Anglers Rest is run on a not-for-profit basis and its annual surplus income last year was about £3,000, which was needed for capital expenditure on replacements and doing up the pub. The business rates, however, increased from £11,500 before the revaluation—in effect, the pub had nothing to pay, because it had both rural rate relief from being in the very rural Peak district and small business rate relief—to £21,750, which is a bill for a further £10,000. It does not take someone of the financial stature of the Minister to realise that a surplus income of only £3,000 and a rates bill of more than £10,000 puts that community venture at risk. That is detrimental to the entire community, to which that venture is so important.

Another concern expressed by pubs in my constituency about the turnover basis of the rates is that the valuation goes online, listed among other pubs in their area, and that is seen as a shopping list by criminals looking for cash-heavy businesses. As businesses with high turnovers are being targeted, local pubs are concerned that that could be due to the release of information so readily available online. Criminals are not that stupid; they are quite capable of researching which places take significant amounts of cash.

Will the Minister have a look at that issue, which concerns pubs in my area? We have seen an increase in crime—in till snatches—which is worrying for small businesses and their staff in particular.

That is also why, earlier, I mentioned investment in CCTV. Many businesses feel that they have to make that investment now, either because crime is so high that they need a deterrent or because insurance companies often insist on installation of CCTV and other security measures to make premises viable to insure. Businesses, however, are hit with not just the insurance costs of being a victim of crime, but additional business rates.

I hope to see a system, however it is calculated, that does not penalise businesses for investment. A deterrent could be provided with time-limited exemptions for new developments, and we would see greater investment. The convenience store sector invested £856 million in premises over the past year, and any increase in that investment would benefit not only high streets, but the Exchequer.

Communities would all see the benefit too. The Scottish Government’s growth accelerator scheme, for example, delays increases in business rate bills for 12 months, allowing businesses to recoup their investment at least in the initial year.

I am not sure that turnover-based methodologies will be helpful in the retail sector, in particular for convenience stores and the like, which might have a high turnover but a very low profit margin. Petrol forecourt sites are rated on a turnover basis, which causes discrepancies when retailers invest in a convenience store on the same site. They find that it is rated under the same system, causing huge rating bills, which prevents the forecourt retailers from expanding their businesses to offer services to the whole community, often in areas where there is little retail opportunity.

Another issue is to do with cash machines, as has been said. Access to cash is key, in particular on high streets and in rural areas. Retailers are billed an average of £4,000 for hosting an ATM, which is in addition to the rates payable on their shop. I hope that the Minister will look at free-to-use cash machines because they are extremely important for retailers and do not often lead to an increase in turnover commensurate with their business rates increase. The increased risk of crime that unfortunately arises from hosting ATMs means that businesses in my constituency are reluctant to take one on in areas that are in desperate need of them.

I ask the Minister—I am sure that this is a subject close to his heart—to look at the impact on employment of the turnover basis of rating. Pubs that want to open for a few additional hours to increase their turnover, taking on extra staff and growing their business, are disincentivised by the fact that turnover is the basis of their business rates, as they get no relief for the staff. They simply get taxed additionally on the turnover, whereas business taxation is based on profit.

Finally, the “check, challenge, appeal” scheme is an absolute disaster for businesses that wish to challenge their rateable value. Only one case has got to the appeal stage. By February, we had seen a 90% decline in appeal cases lodged. The check stage requires ratepayers to input details about their properties, which needs significant research on details such as the construction date of the building—quite a challenge for some of the properties in my area. The challenge stage requires ratepayers to provide an alternative valuation and to supply all the evidence needed within four months, which is often quite a hurdle. The appeal stage now requires businesses to pay a refundable £300 fee, or £150 for small businesses, which is another disincentive for businesses to go ahead.

There are plenty of issues for the Minister to look at and, I hope, respond to. I welcome the debate and the chance to speak.
one of turmoil, with 10,000 stores to close, including the casework examples she alluded to. The prevarication needs to stop, and I am pleased that my hon. Friend gave us four ideas to consider.

The right hon. Member for East Devon (Sir Hugo Swire) made a point about the Valuation Office Agency. It is important that the VOA plays a part in this, but, in reality, as an agency it can only play the hand it has been dealt. Yes, it may be able to sharpen up its footwork, but that does not go to the heart of the matter. However, I do see his point about the concoction of planning and parking—he raised several issues there. On parking, as local authorities have been denied of support from central Government, they have tended to change how they get their money, given the reduction in grant. They’re damned if they do and damned if they don’t.

My hon. Friend the Member for Sheffield South East (Mr Betts) talked about more local control. That is a potential way forward, because as we are giving less money to local authorities from the revenue support grant, there has to be some more flexibility. That should be considered as part of the review. As the hon. Member for St Ives (Derek Thomas) said, it is a complex situation. Second homes is an issue that affects different areas of the country in different ways. He talked about the business rate calculation not being sensible, but that is a technicality. Trying to pin down how a valuation is arrived at does not deal with the heart of the issue: if £30 billion is being raised a year, how and where should it be raised and in what context? We need a review of business rates. My hon. Friend the Member for High Peak (Ruth George) said that there are strains on businesses. Her point about cash machines is a crucial issue in many areas. I am glad that it has been a thoughtful debate.

Business rates are causing a great deal of crisis in our retail sector, which is the UK’s largest private sector employer. In the first few months of this year, 21,000 jobs were lost due to closures. Thousands of working people face an uncertain future, and that has sent ripples through the retail sector. Only this week, Poundworld, BHS, Toys R Us, House of Fraser, Marks & Spencer, New Look, Carpetright and Mothercare.

The Government must recognise that there is barely a British brand left that is not affected by what many consider to be a hostile environment, given the business rates situation, whether by design or default. The high street is being denuded because the review has gone on for so long. There are 791 villages and towns in England and Wales where the crisis is hitting. The Government are in a business rates mess—it is no good pretending that they are not. The mess is hitting those who cannot bear the brunt of the tax changes, while letting others off the hook.

The Government will claim that they are introducing a package of support to mitigate the steep increases that have resulted from the seven-year wait for a revaluation, yet the Federation of Small Businesses does not take the same rosy view. They have called on the Government to “speed up help for small firms facing unacceptable increases in their Business Rates”, while arguing that the £300 million relief promised in the Budget has not made its way to businesses. Perhaps the Minister will let us know what the hold-up is. It is the same old story: we cannot rely on rhetoric to cover things up. The Government have to recognise that the cracks are getting bigger. In some areas, panic has set in, with major newspapers now reporting on a “high street crisis”. We do not want that panic to spread—I accept that it is overblown—and we do not want the Government not to deal with the matter and to put their head in the sand.

If we want to continue to have a high street, we must follow steps for business rates such as introducing a statutory annual revaluation, to stop business facing periodic and unmanageable hikes and to guarantee a fair and transparent appeals process—that has been touched on in the debate. The Government’s seven-year wait for a revaluation was one of the major reasons the process descended into chaos. Had the Government got their act together, businesses would not face such steep rises in valuations and could plan accordingly. It is quite shocking in certain situations how companies and businesses are being treated.

We would exclude new investment in plant and machinery from future business rates revaluations, to encourage investment. After eight years of the Government’s economic policies, we have the lowest productivity in the OECD;
businesses must be incentivised because they are relying on pools of precarious, cheap labour rather than investing in fixed capital. That is especially the case in the retail sector. Government business rates policy should reward shifts to more productive models. I hope that we will be able to deliver on that.

Overall, we want fundamentally to reform the business rates system in the age of online shopping, to ease the burden on traditional high streets and town centres and to create a fairer system of business taxation for the £30 billion that comes in. We must recognise the gigantic shifts happening in the sector, and ensure that our fiscal framework properly adapts to that. It is not about hoping another review will make it all go away; our reform of business rates must be considered in the context of our wider support for small and medium-sized enterprises.

We want to build an economy for the many businesses, not the few. That means supporting small businesses so they can compete on a level playing field, rather than playing to the interests of big companies and monopolies, which seems to be happening all too often. To do so, we have committed to increasing lending to small and medium-sized enterprises, through our network of regional development banks. We have also committed to introducing a lower small business corporate tax, which would ease the burden on smaller retailers. We would scrap quarterly reporting, to end the scourge of late payments and reform.

Labour is offering a number of proposals, but the Government must act as soon as they can, to stop the prevarication.

10.49 am

The Financial Secretary to the Treasury (Mel Stride):
It is a pleasure to serve under your chairmanship again, Mr Gray.

I congratulate the hon. Member for York Central (Rachael Maskell) both on securing the debate and on the tenacious approach she has rightly taken to the extremely important matter of business rates. I thank her for her comprehensive contribution, and in particular for the examples she gave of high street businesses—I think we all recognise that many face considerable challenges. I also thank the various other speakers, who raised numerous points. I intend to pick up on as many as I can, but I would of course be happy to engage with Members outside the Chamber on any that I omit.

I thank my right hon. and gallant Friend the Member for East Devon (Sir Hugo Swire) for his kind remarks about the amount that I care about this issue and for referencing my business background. I fully appreciate what a struggle it is in the business world, even when times are extremely good. It is never easy to go out and generate wealth and to have a successful business. I also appreciate that business rates are one of those taxes that businesses simply cannot avoid—they are paid irrespective of profitability, which of course has particular consequences in some cases.

We need to put this debate in context. A number of Members said that business rates are an issue but are not the totality of the pressures that our high streets face. We heard much about the challenges of online marketplaces and of the planning system—when there is a change of use of businesses that reside on our high streets, for instance—and my right hon. and gallant Friend raised the issue of parking. Myriad issues impinge on this space, and I think we are all seeking to ensure that taxes right across the system are competitive, that there is fairness among those who are expected to pay them, and that they are collected, so that we minimise tax avoidance at every stage.

That brings me to the comments by the hon. Member for York Central about possible alternatives to the current rating system. She mentioned a tax on revenue or on profitability. As soon we started to tax revenue, we would run into the problem that businesses that were not profitable still had a turnover. For example, a new entrant on the high street that we all wanted to thrive may get throttled by the kind of approach that she suggests. If we went for a tax on profits, there would be the potential for profit shifting. If there were a particular regime in one area, businesses may move profits around between multiple enterprises to reduce their overall tax.

The hon. Member for Sheffield South East (Mr Betts) recognised that. He made the important point that business rates have a distinct advantage when it comes to avoidance, because buildings cannot be shifted around in the way that it might be possible to shift other metrics. He also raised the 100% business rates retention pilots and expressed hope that we would pursue that measure. We will pursue it with vigour. I am watching it very closely in Devon, where the pilot scheme is also operating. I very much look forward to catching up with the report of the Housing, Communities and Local Government Committee, which he chairs.

My hon. Friend the Member for St Ives (Derek Thomas) raised the issue of second homes being designated as businesses because they are holiday lets. We are engaged with the VOA to ensure that no abuse occurs in those circumstances. He will be aware that certain criteria have to be met for individuals or companies to treat properties in that way. I am happy to engage with him outside the Chamber on that issue, because he raised one or two interesting points. He also raised the issue of different businesses paying different rates and gave an example of two businesses right next door to each other. He and I have discussed that, and I look forward to looking in greater detail with him at the examples that I know he will come forward with.

The hon. Member for High Peak (Ruth George) raised a point about pubs and suggested that information being made available to the public might drive crime. I am certainly prepared to look at that. I imagine that those who are out to raid the premises of pubs have other measures by which they might be able to discern whether a lot of cash is being taken—how many people are in there drinking on a Friday night, for example—but I am certainly happy to speak to her about that. She also raised the way pub rates are calculated. They are valued by the VOA using the fair maintainable trade method, which has been agreed with the British Beer and Pub Association.

Let me point out the numerous things that the Government have done on business rates to support businesses. In 2016, we announced around £9 billion of relief on business rates. We made the 100% small business relief permanent, which took 600,000 businesses out of rates altogether. We increased the threshold for the standard multiplier, removing 250,000 businesses from the higher rate of business rates. Of course, we were able...
to do that only because of our prudent stewardship of the economy, which has allowed us the space to provide that relief to the business community.

I have limited time, but I will dwell for a moment on the online business threat, which a number of hon. Members rightly raised. There is a growing number of online businesses in this space, and an increasing number of purchases are happening through online companies. It is important to make the point up front that when we refer to some of those companies paying relatively small amounts of tax compared with high street operations, we are talking not about tax avoidance but about whether the way the international tax regime operates is appropriate or functional for the 21st century. It is not. We need to find different ways of taxing online platforms, whether they are search engines, social media platforms that generate revenue, or online marketplaces, where significant value generation occurs through the relationship between users based in the UK and the platform itself.

Sir Hugo Swire: It is reassuring to hear the Minister say that we need to look at ways of taxing those rather more mobile forms of purchasing online. Will he say whether there is a team in the Treasury doing that, and when it is likely to report?

Mel Stride: There is indeed. I am personally engaged in that matter, which has been taken up at the OECD and the European Union. They have both produced interim reports on the issue and suggested that we might look multilaterally at some kind of revenue-based taxation, albeit—to get back to the problem of revenue-based tax—we do not want to choke off new entrants to the marketplace, which may be loss-making, so there may have to be some de minimis thresholds associated with that formula. We are actively pursuing that on a multilateral basis with countries in those two institutions. I discussed exactly this issue with Finance Ministers from OECD countries at the ministerial meeting of the OECD in Paris last week. We have made it clear that, although it would be most beneficial to move multilaterally with other countries, we will make a unilateral move if we need to.

I am conscious that we are down to the last minute and I would like to give the hon. Member for York Central an opportunity to respond, so I will draw my remarks to a conclusion.

10.59 am

Rachael Maskell: My constituents will be very disappointed by the Minister’s response, because he did not respond to the specific questions I raised. We have a broken business rates system. The fact that the system takes only £30 billion but requires £9 billion of relief is in itself evidence that it is broken and in need of urgent repair. In the light of the many cases that hon. Members have raised, the Treasury needs to pay greater attention to this issue.

Motion lapsed (Standing Order No. 10(6)).

Parking Charges: Chippenham

Michelle Donelan (Chippenham) (Con): I beg to move, That this House has considered Chippenham parking charges.

This week in Parliament, we are discussing the two issues that I would argue are the most important to Chippenham residents: Brexit and, believe it or not, parking. I should say that those are the two issues on which I receive the most correspondence. Parking is an issue across the constituency, but today I shall focus mainly on the town of Chippenham, where problems are the most acute and could easily be dealt with, and from which the majority of businesses and residents contact me. For instance, the situation in Bradford on Avon, which I represent, is more challenging because space in that historic town is at such a premium. I have campaigned on parking and parking charges in Chippenham for many years, from well before I was elected as the local MP, and the recent council proposal on parking charges left me with no option but to call this debate.

I completely empathise with the council’s motivations and thought processes in this area, but I hope to highlight the need for it to think again and to press the Minister to respect devolution but consider publishing best practice on this topic. As an MP, I have no power to dictate parking policy, nor should I, but I must stand up as a champion of my residents and businesses, as it appears that their voice has not been listened to or heard.

Chippenham’s parking problems are twofold, as I am sure you are aware, Mr Gray, having represented the area yourself. First, prices are too high, and further proposed increases in prices and charges will cripple our local high street and town centre businesses. Secondly, the number of spaces available is far too low to accommodate the town’s residents and visitors, and the staff that businesses need. It is important to note that both those problems need addressing.

In 2014, I conducted a local survey on parking charges and the key findings were that 93% of residents agreed that parking charges were—then—too high, and 88% of residents said they would shop in the town centre more often if prices were reduced even slightly. I raised the topic as one of my first questions to the Prime Minister on the support we could give market towns. The then Prime Minister, David Cameron, stated that he would argue “in the case of market towns, that we should make parking easier—and, preferably, free.”—[Official Report, 8 July 2015; Vol. 597, c. 315.]

A key point is that since the Salisbury incident, overall, Chippenham residents are paying the highest fees of all towns in Wiltshire for parking per hour and for permits. Prices went up in February, which I fought against to no avail; I still await the results of the consultation. Those increases mean a total increase in the last two and a half years of up to 15%. However, it is the new proposals that are deeply worrying: parking season permits would increase by 145%. That is a problem for all my constituency, but most acutely for Chippenham. Some key local businesses, not just local retail offerings, are based in the town, and both have barely any of their own parking. Staff are therefore forced to park in car parks.
The other change is to introduce parking charges on Sundays and bank holidays, which will damage all of Wiltshire and is beyond short sighted. The average car parking charge in Chippenham is £1.20, and a premium season ticket is already more than £1,200. Council representatives have regularly disputed that charges deter shoppers or affect the high street. It is therefore ironic that one of the first things done after the Salisbury incident was to introduce free parking there for three hours in the city centre to boost footfall. Let us not forget that the national planning policy framework states:

“Local planning authorities should set appropriate parking charges that do not undermine the vitality of town centres”.

Taxpayers and consumers should always get value for money. As you know, Mr Gray, Chippenham is a small and beautiful market town, and one that is brilliantly placed for businesses to locate. However, that price should reflect the relatively small offering, which is not on a par with that from a city or a large town, although the charges as they are set—as they will be following these changes—suggest that it is. People will pay for what they get: the residents and employees of Chippenham are not asking to pay nothing, but they are asking for a fair parking and permit price.

One local resident who corresponded with me on bank holiday and Sunday charges wrote:

“The town centre is already struggling and this will only make things worse. You can go to Trowbridge, which has more to offer, and beautiful market town, and one that is brilliantly placed for businesses to locate. However, that price should reflect the relatively small offering, which is not on a par with that from a city or a large town, although the charges as they are set—as they will be following these changes—suggest that it is. People will pay for what they get: the residents and employees of Chippenham are not asking to pay nothing, but they are asking for a fair parking and permit price.

That speaks volumes—we are literally driving our own residents out of our own town.

The disproportionate prices are killing our high street. Yes, the internet and changing buying behaviours are also key, but as Juliet Davenport, chief executive officer of Good Energy, one of the largest companies in Chippenham, said, this is making the “task harder”. It is something we simply do not need to do. When it is cheaper to get a return train ticket to Bath or Swindon than to park in Chippenham for the day, it is a no-brainer, and I know which most people would choose to go shopping.

I stress that I am fully behind cutting down on vehicle use, but we simply do not have the cycle routes and sustainable transport network to enable people to leave the car to go to work or to shop. That is needed first. I also argue that when buying the Gazette and Herald, at £1.15, costs less than parking, someone will probably go to Sainsbury’s or Morrisons just outside of the town, where parking is free, or to the Brookside retail park. When there, they might buy other things. The beauty of the high street is that when we go to buy one thing we see others, which helps to support the economy.

Let us not forget that the Portas review recommended that local areas should implement free controlled parking schemes that work for their town centres, and that we should have a new parking league table. Well, we have one in Wiltshire, but Chippenham is not playing well this season. Chippenham business improvement district, which represents 370 member businesses across Chippenham town centre, has been fielding a tide of complaints and concerns from its members on this topic. In fact, Sarah Andrews, manager of Mail Boxes Etc in Chippenham, said:

“The council need to be attracting businesses...not driving them away. I use Bath Road car park and the lines are not even drawn out clearly or maintained”. I have had much correspondence on that. Although some of the money from charges is supposed to be reinvested in maintenance and the technology used in the car parks, that does not seem to be happening. Again, the argument is that there should be value for money and that people should pay a fair price. I reiterate that local residents are not against paying; they are against paying a charge that is not fair.

Our parking meters do not take card payments, but those in most large market towns across the UK now do. Our machines also do not give change, which means that someone who does not have the correct change is regularly losing 30p to 80p. The online service is patchy, given that we also have a number of hotspots.

I must be clear: I fully appreciate that local councils use parking revenue to subsidise rural bus services, and I am not suggesting for one minute that we should cut those valuable services, which are lifelines for so many vulnerable, elderly and isolated people, but it is important to remember that we have lost a lot of our bus services in the last few years, so the policy is not working—and it is not sustainable, anyway. Plus, Sunday and bank holiday charges are expected to raise only £78,000 across Wiltshire, so they will cause more damage than they will raise revenue.

Damaging our high street to pay for rural bus services is not the answer. I have long argued for councils to look at smarter, more sustainable models such as regional bus contracts to fulfil their needs, rather than solely relying on parking revenue. In addition, and most importantly, starving towns of customers and encouraging businesses to leave serves only to reduce the business rate pot, meaning less money overall in the council’s coffers in the long term. That makes little financial sense.

A retort that has often been floated is that austerity is causing the increases and changes, but it is important to remember that the money has always subsidised bus services, so that argument does not really stack up. Other areas have introduced sensible parking systems, which speaks volumes—the evidence base is there. For example, Braintree introduced a parking charge of 10p after 3 pm, and 10p all day on Sunday. Figures show that more than 44,000 extra cars took advantage of that over the course of the year, thus increasing business rates and footfall in the town. Local authorities in Middlesbrough and other places have done similar things, and even Swindon, our neighbour, has found that reducing car parking prices for short-term and long-stay car parks has increased footfall. The list goes on.

We all know that difficult decisions have to be made in politics—indeed, we as MPs know that even more than most—and sometimes cuts and price increases are the only option. However, we must always have red lines and make decisions based on the will of the community and its interests, the local economy, and the long-term plan for an area. Those must be our priorities, otherwise what are we in politics for? Hiking parking charges again does not do that, but instead smacks of short-term thinking that is simply out of touch with the town, its residents and the business community. We have such wonderful potential to attract so many more businesses, especially given our location.
The consultation process was deeply flawed, which highlights my point. I have spoken to a number of businesses, the chamber of commerce, the business improvement district and multiple residents and community groups, all of whom had heard nothing about the consultation. The notice displayed on parking meters was, I think, in font size 10, and season ticket holders would never have gone to the meter to see it, even though they would be the most directly affected by the proposals. One constituent summed it up:

“I didn’t even know there was a consultation. What is the point of consulting when no one is given the chance to let the council know their views?”

As you might know, Mr Gray, I am somewhat passionate about parking—something many would find odd unless they lived in Chippenham. I invite the Minister to come to our wonderful town, which is nestled only 1 hour and 15 minutes on the train from Paddington, and sandwiched between Bristol, Swindon and Bath. It is a hub of engineering, technology and design, and has some of the leading companies in their sectors, such as Good Energy, Siemens, and MJ Church. We have a huge opportunity not only to retain those companies, but to build on them. However, the proposed changes to permits would particularly cripple the business community, because the staff spend in the retail offerings at lunch and in the evenings, and because a number of those businesses pay the permits for their staff.

For example, Alliance Pharma has said that if these changes are introduced it will simply leave, which would be devastating for our local economy. The managing director of accountancy firm Mander Duffill has said that it will stop its funding and encourage staff to park in residential streets. The business improvement district stated:

“Big businesses are threatening to leave the area if parking charges increase as much as is proposed... Town centres need a varied and robust offering”,

and that must be sufficient and well priced.

Let us be under no illusion: this is a very stark problem. The president of Chippenham chamber of commerce said:

“These changes will affect businesses in the town centre and will discourage people from visiting Chippenham.”

Little Waitrose has said that Sunday and bank holiday charges would mean closing its store. If all that happens, it will be devastating.

A Sunday charge has been suggested, but Sunday is the most profitable day for a number of businesses to which I have spoken, especially in the independent sector. In addition, a Sunday charge would make it harder for people to go to church and worship—churches in our towns do not usually have parking facilities, so this would basically be the introduction of a tax on worship across the constituency.

Even in Edinburgh, which has strong transport links, religious leaders warned that churches could close after plans to introduce parking charges on Sunday mornings were mooted. Our towns do not have the same transport networks or the available spaces that Edinburgh has—imagine the effect! Public holiday charges would particularly damage our restaurants and bars, and they would deter people in our community from going to community events.

Let me spend a couple of minutes talking about spaces—a self-explanatory yet infuriating argument. A common argument used to defend the car parking pricing structure is the regular high levels of occupancy. That is true, but it highlights a second problem, and one should not be used to justify the other. Indeed, high levels of occupancy are often part of the answer given, but that is easily solved: we could double-deck one of the car parks, with that in Bath Road being the easiest solution.

The lack of availability of parking spaces in Chippenham is acute and is pushing people into parking on residential streets, especially in Monkton Park, Wood Lane and other areas from where residents contact me daily to complain about the problem. The issue can prove dangerous for ambulances and service delivery, and even for rubbish collections.

Chippenham has about 31% fewer parking spaces than the national average. Trowbridge has more spaces and its population is 10,000 fewer. In 2013, the British Parking Association published “Re-Think! Parking on the High Street”. Its findings showed that there is a key relationship between the quantity of car parking and footfall in town. If we want our towns to grow and develop, and to support businesses, we need more parking spaces. We need to learn from neighbouring areas such as Cirencester, whose council is investing in car parking, rather than reducing funding, and has created 150 new spaces.

We need sustainable solutions, but also plans that are smart and consider business rate revenues and the importance of regenerating our towns, rather than shortsighted initiatives that will strangle Chippenham, especially if the season ticket price increase goes ahead.

One solution is to increase the number of car parking spaces, because if there were more spaces, revenue would increase—the high footfall has already proven that argument. Charging on bank holidays and Sundays is nonsensical in all areas of the constituency, and we need more spaces in Chippenham to feed the demand. In essence, we need a co-ordinated and considered parking strategy that prioritises local businesses—our job creators—and local people, helping to boost our towns and protect jobs. I therefore urge the Minister to consider conducting a best-practice review and producing a document to assist councils such as mine, which seem to need help on this matter.

11.17 am

The Parliamentary Under-Secretary of State for Housing, Communities and Local Government (Rishi Sunak): It is a pleasure to serve under your chairmanship, Mr Gray, especially in this Wiltshire-themed debate.

James Gray (in the Chair): Order. It might be helpful to remind the Chamber that although it is a Wiltshire-themed debate and I am a Wiltshire MP, I am here as Chairman and therefore I neither agree nor disagree with anything that might be said.

Rishi Sunak: Point noted, Mr Gray.
I congratulate my hon. Friend the Member for Chippenham (Michelle Donelan) on securing this important debate. She has been an incredibly long-standing champion for parking in her local area. From the moment she arrived in this place—and before—not only has she advocated on behalf of her constituents, but she spoke passionately about the Parking (Code of Practice) Bill on which I had the pleasure of leading for the Government some time ago. That Bill would clamp down on rogue parking operators, and she made a powerful speech in that debate.

My hon. Friend is also a champion of small businesses, and in many debates she has spoken with authority and passion about the importance of supporting small businesses, just as she did today. I congratulate her on all those things, and I very much agree with the central premise of what she is saying: high streets and town centres are a crucial part of our local and national economy, creating jobs, nurturing small businesses, and injecting billions of pounds into the economy. Key to a thriving town centre and high street is accessibility, and effective parking is a key element of that. The ability of shoppers and visitors to park is integral to increasing and maintaining footfall on our high streets.

For many people, their day begins and ends with parking their car. Local authorities should analyse people’s need for parking provision, and adjust their strategies to support local need. Suitable parking provision is a matter on which local authorities must decide what is best for their area, as I am glad my hon. Friend acknowledges. As our communities are all diverse and unique, there should not be a one-size-fits-all approach, or a directive that comes from this office, and instead parking should be managed intelligently and be part of a wider holistic transport plan that is tailored to the needs of each local area.

The Government, together with key stakeholders and partners, promote the use of best practice and encourage the sharing of what does and does not work. We support the use of innovative techniques, such as flexible tariffs and the use of mobile technology, to create the most enjoyable experience for visitors to our towns and high streets. On that point, I am very happy to look at the Department’s current operational guidance, which it provides to local authorities, to see whether there is any merit in revisiting it and making sure that best practice is more widely shared, as was suggested by my hon. Friend. I will also have that conversation with the Local Government Association in my work with it on this topic and others.

Research by the British Parking Association and the Association of Town and City Management shows that flexible and intelligent tariffs are a factor in the success of parking management strategies for high streets and towns. Perhaps that is the type of research that my hon. Friend would like to be shared more broadly. Richmondshire District Council instigated free parking for the Tour de Yorkshire in May. That encouraged local people to come and enjoy a fantastic event. As the peloton travelled through my constituency, it was a boost to local businesses, supporting community spirit.

Unrestricted free parking is not always a magic bullet: it can have a negative impact on town centre footfall if spaces are used more often by workers or commuters parking all day, meaning that spaces are not available for leisure users such as shoppers. There is a balance to strike. Intelligent tariffs, such as reduced parking charges or free parking, can be used effectively to incentivise people to visit their high street. My hon. Friend mentioned reducing the cost of parking to support local markets and events, or even during off-peak periods. That is a tool that the Government would urge local authorities to consider when developing high street parking strategies.

New technologies are supporting better access to high street and town centre parking. Technologies such as AppyParking give real-time reports of on-street and off-street parking availability, and they interface with payment apps used by local councils to offer a one-stop shop that allows users to find and pay for parking. Similarly, car parks are increasingly embracing technology to improve accessibility to customers. Larger parking companies, including NCP, now offer the ability to book spaces, giving motorists certainty that they can access high streets and economic centres conveniently.

My hon. Friend spoke clearly on the subject of high streets, and parking strategies that support our high streets and market towns are more important than ever. High streets are changing: we see it happening around us every week and the Government are committed to helping communities adapt. If a high street or market town centre is to flourish, local people, businesses and councils in an area need to work together to develop their own unique offer for the high street and town centre that resonates with the local community. It is not just about retail. People care about high streets because they are the centres of their community. Consumers are looking for a range of experiences when they visit a high street, from leisure to health services. I am pleased to say that the Government are taking forward a wide range of measures to support high streets and businesses.

In Chippenham, as my hon. Friend will know, there is a growth deal project to improve the train station. The project aims to enhance the station facilities and to develop the surrounding land for improved commercial and residential property, including increased car parking capacity. She was right to point out that local authorities should ensure that there is adequate provision for parking in town centres. My understanding is that, through that project, car parking capacity at the station will double, which I hope is welcome. In addition, there will be public realm improvements to signpost to the high street to improve access.

More broadly, since 2010 the Government have helped to create more than 360 town teams and have given more than £18 million to towns. That has included successful initiatives such as Love Your Local Market, and the Great British High Street competition. We also support Small Business Saturday UK. An estimated £748 million was spent with small businesses across the UK for Small Business Saturday UK 2017, which was up 4% on the previous year’s spend. I know that my hon. Friend, as a devout and passionate supporter of small business, will welcome those measures, and no doubt she has been involved in supporting them in her area. The Government also established the future high streets forum, which is chaired by the Minister for local growth, my hon. Friend the Member for Rossendale and Darwen (Jake Berry). The forum consists of developers, investors and retailers and provides leadership from the Government and the business community to support our high streets and town centres to adapt and compete in the face of changing consumer and social trends.
We also believe in celebrating success, including the wonderful work that communities put into their high streets, making them community hubs. The Great British High Street awards highlight some of the excellent examples of high streets up and down the country. Members may know that the last awards, in 2016, garnered more than 900 applications across 15 categories, and more than half a million people participated in the voting.

Because of the knowledge and insight with which my hon. Friend for Chippenham speaks on matters relating to parking and the success of high streets, I have spoken to the local growth Minister, who has responsibility for high streets, and arranged for her to meet him at the earliest opportunity to convey her views on how parking should feed into the Government’s wider strategy on high streets. The Minister is working intently on the topic as we speak, and exciting things are to happen in the near future, so I urge her to meet him as soon as she can to feed in some of her ideas.

My hon. Friend asked about consultations, and I am pleased to tell her that the Government are developing the secondary legislation under the Parking Places (Variation of Charges) Act 2017. The Act provides for powers to simplify the procedure for lower parking charges. It also introduces a requirement for local authorities to consult businesses and communities on increasing charges, to ensure that local decisions are informed by local views. I know she will welcome that.

I think that we can all agree that parking provision is essential to making our high streets accessible, and to supporting them as vibrant economic centres. An intelligent and tailored parking strategy, taking account of local needs and designed to support high streets and town centres, should be central to local authorities’ transport plans. Suitable parking tariffs and, where appropriate, free or discounted parking are positive elements of such plans. We will continue to work with local authorities and key stakeholders to ensure that our high streets thrive in the future.

I end by echoing what I said in beginning: I thank my hon. Friend for securing the debate and for continuing the work that she does to champion her constituents, in this instance in relation to parking but, more generally, in the matter of supporting high streets and small businesses. She has been a tireless advocate of her constituents on those issues and I know that she will continue to press me and other members of the Government to ensure that they get the best possible deal.

Question put and agreed to.

11.27 am

Sitting suspended.

Vaccinations: Developing Countries

[Mr Nigel Evans in the Chair]

2.30 pm

Stephen Crabb (Preseli Pembrokeshire) (Con): I beg to move,

That this House has considered the economic effect of vaccinations in developing countries.

It is an enormous privilege to serve under your chairmanship, Mr Evans. I am grateful to have secured time to lead what will probably be a short debate, but I hope a positive and useful one, on a subject on which this Government and successive British Governments of different colours have shown leadership and genuine commitment.

I am delighted to see the Minister in his place. He has had a busy time in Westminster Hall in recent weeks and I almost feel reluctant to drag him back here again, but I hope he finds the debate useful and enjoyable. I know that I and other hon. Members here today look to lead what will probably be a short debate, but I know she will welcome that.

I think that we can all agree that parking provision is essential to making our high streets accessible, and to supporting them as vibrant economic centres. An intelligent and tailored parking strategy, taking account of local needs and designed to support high streets and town centres, should be central to local authorities’ transport plans. Suitable parking tariffs and, where appropriate, free or discounted parking are positive elements of such plans. We will continue to work with local authorities and key stakeholders to ensure that our high streets thrive in the future.

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Question put and agreed to.

11.27 am

Sitting suspended.
Stephen Crabb: I have heard that said, and I will go on to refer to the importance of reaching the hard-to-reach groups. There is evidence that that is the way to get, to put it crudely, more bang for our buck on the vaccinations spend, because the threat of outbreaks of killer diseases is higher for some of those isolated communities and families than for those elsewhere. My hon. Friend makes a useful point early in the debate.

For the last decade and more, there has been a political consensus that we should spend 0.7% of our GDP on international aid and assistance. At times in recent years, it has felt as though that consensus is being tested; certainly, the all-out assault on our aid budget in some sections of the popular press has had a corrosive effect, at least among some members of the general public. The discussion in the popular press is overwhelmingly dominated by questions over the headline funding commitment and the suggestion, repeated over and over again, that aid money could be better spent on domestic priorities.

While those of us who support Britain’s role as a leader in effective overseas development should never tire of restating the basic case for aid, we should also do more to draw attention to specific examples where UK aid has helped to achieve profound economic and social improvements in some of the poorest countries on earth. One area of British leadership and expertise that has received too little attention is the funding, development and distribution of vaccines against killer diseases, and I will use this short debate to highlight that. Diseases are not just an unpleasant inconvenience for a country; they ravage a nation’s economy, directly affect its ability to grow and hold back economic development. Diseases keep poor countries poor.

It was a British doctor, Edward Jenner, who pioneered the first vaccine at the end of the 18th century, when he used pus drawn from a cowpox boil to inoculate a boy against the killer smallpox—a story that many of us will have learned about in our school days. More than 200 years on, British science and medical research still lead the world in improving the health of people living in extreme poverty. The eradication of smallpox was one of the great achievements of immunology in the 20th century. Smallpox was once one of the world’s most feared and deadliest diseases. Just 60 years ago, it was endemic in dozens of countries containing around 60% of the world’s population. By 1980, it had been eradicated, following a concerted international effort.

More recently, polio, once epidemic, has almost been eradicated too, due to concerted vaccination efforts worldwide. It has been reduced by 99% globally and the number of polio-endemic countries has decreased from 125 in 1983 to just three today. That is the culmination of a remarkable international effort that brought together Governments, NGOs and many private individuals. Rotary clubs around the world, for example, took this up as a campaign and raised enormous sums toward the effort through community-led fundraising. Full eradication of the disease is within reach, showing again what can be achieved when we harness political will, public support, large-scale resources and world-class science. I believe that that formula is the key to so many of the interventions that will make the world a better place in the years ahead.

British medical and scientific research remain world leaders in the fight against vaccine-preventable diseases. We are part of numerous initiatives and alliances, recognising that multilateral co-ordination and use of public resources to leverage in private sector funding provide a strong platform for this work at a global level. I am sure the Minister will update us on some of those initiatives in his winding-up speech.

Dr Dan Poulter (Central Suffolk and North Ipswich) (Con): I congratulate my right hon. Friend on securing the debate and on the speech he is making. On the issue of private company and pharmaceutical involvement in the development of vaccines, there has been a challenge, as we saw with the Ebola outbreak, in that this is not an area of great profit for pharmaceuticals; it is difficult for them to recoup their investment from lower-middle income countries. The pharmaceutical model needs more encouragement of pharmaceuticals to invest in development of vaccines such as Ebola. What would he say to encourage that?

Stephen Crabb: My hon. Friend, who knows an enormous amount about this field, makes an important point. We are essentially dealing here with a case of market failure, where markets in the purest sense do not work in bringing through vaccine development and distribution in some of the poorest countries. I will talk about that later. I am about to talk about GAVI, the Vaccine Alliance; the model on which it operates is based on tackling exactly that problem, where there is not sufficient market demand in a poor country to create the financial incentive or pull for pharmaceutical companies to invest there profitably.

GAVI was created in 2000 and it brings together the public and private sectors with the shared aim of creating equal access to vaccines for children living in the world’s poorest countries. Britain was one of its original donors, and today we provide around 25% of its funding. There is also the global health fund, which was created to accelerate the end of HIV/AIDS, tuberculosis and malaria as epidemics, and for which UK funding averages around £360 million a year. Last year, the global health fund partnered with GAVI and Unitaid to provide around $30 million to pilot the world’s first malaria vaccine for young children in Ghana, Kenya and Malawi. That vaccine has been 30 years in the making in fighting a disease that still claims thousands of lives each year.

Back in 2015, the former Prime Minister, David Cameron, announced a plan to tackle the risk of global health pandemics that included the establishment of a UK vaccines research and development network. The network’s focus is to bring together experts from industry, academia, philanthropy and Government to invest in projects on vaccines and vaccine technology to combat diseases with epidemic potential, such as Ebola and Zika, in low and middle-income countries. Britain has led from the front in the global fight against killer diseases.

Vaccines are widely recognised as an important mechanism for controlling infectious disease outbreaks, although they are by no means the only mechanism. In fact, the supply of clean water, for example, is even more important in reducing the burden of infectious diseases. However, it is right that the international effort to develop and distribute vaccines against deadly diseases, of which Britain is a key part, is a strategic priority for our overseas aid policies, and it needs to remain so.
At the heart of that challenge is the market failure referred to by my hon. Friend the Member for Central Suffolk and North Ipswich (Dr Poulter). Outbreaks of some of the world’s deadliest diseases occur only intermittently, and often in the world’s poorest countries, meaning that there might not be a strong market incentive for the pharmaceutical industry to develop vaccines for such diseases.

The UK Government are taking concerted and co-ordinated action to address that market failure. For example, the UK has committed to invest £120 million between 2016 and 2021 in the development of new vaccines for diseases with epidemic potential, in line with the expert advice provided by the UK Vaccine Network. The UK is also helping to build laboratory capacity, surveillance networks and response capacity in low and middle-income countries to deal with the threat of antimicrobial resistance, which militates against the efficacy of drugs in treating diseases.

Some of the health impacts of vaccinations are widely known. For example, between 2010 and 2016, 109 million children were given the pneumococcal vaccine to protect against the main cause of pneumonia, saving an estimated 760,000 lives. In 2017, nearly 1 million people were vaccinated against cholera when an epidemic threatened South Sudan. Only 400 people lost their lives, thanks to an integrated approach that also incorporated surveillance, investigation of and response to cases by rapid response teams, the provision of clean water and the promotion of good hygiene practices. We could cite many other examples.

However, the wider economic benefit of vaccination programmes to the poorest nations has not been fully explored. More research and data are needed to help us to tell the full story of how and why investing in vaccinations helps to alleviate poverty and create stronger foundations for economic success. We certainly know that high out-of-pocket expenditures contribute to poverty, and healthcare can be one of the most significant such expenses for those living in poor countries. In 2010, the World Health Organisation reported that the cost of healthcare prevented many poor people from seeking treatment while simultaneously pushing 150 million care seekers into poverty each year. Put simply, poor people getting sick is likely to make them even poorer and to wreck their future earning potential. When that picture is repeated across families and communities, the consequences can be dire.

At economy level, we have evidence of the ravages that killer diseases can cause. For example, the 2014 Ebola crisis in west Africa disrupted international trade and travel, cost at least $2.8 billion in lost growth and killed more than 11,000 people in the three countries worst affected by the outbreak—Sierra Leone, Liberia and Guinea. It had a severe developmental impact in those countries, placing already weak health systems under extreme pressure, and had a negative impact on employment and school attendance rates.

In February, *Health Affairs* published a study, jointly authored by researchers at Harvard University and GAVI, that looked at the health and economic benefits of vaccinations, which it showed have a poverty-alleviating benefit, especially for the poorest people. Although the study raised some specific questions about the delivery of vaccination programmes, distributional impacts and the transition away from aid-funded programmes as countries move across the poverty eligibility threshold, it nevertheless helped to strengthen the case for continued investment in vaccinations and helped to give us a fuller picture of how good aid spent well does exactly what we claim it does—saves lives and reduces extreme poverty.

**Dr Poulter:** My right hon. Friend makes an important point. Aid initiatives are far too often evaluated purely on what they cost the Department or organisation giving the money, but cost-benefit analyses that look at the wider economic and long-term healthcare benefits are how we should evaluate aid spending in the future. Will he join me in urging the Department for International Development to look at using those more effectively in the future when looking at how it spends its money?

**Stephen Crabb:** My hon. Friend makes an excellent point and I absolutely agree with him. That is exactly the kind of research and evidence that the Department and other bodies need to provide as those who believe in and support our overseas aid spending seek to make and restate the case for it over and over again. It is a powerful message with which to challenge sceptics and cynics.

In 2016, Johns Hopkins Bloomberg School of Public Health examined the projected return on investment in vaccinations between 2011 and 2020 in 94 low and middle-income countries. Looking only at the direct costs associated with illness, such as treatment and lost productivity, it found that the return for every £1 spent on vaccines was £16. When it expanded its analysis to look at the broader economic impact of illness, it found that the return was around £44 for every £1 spent. Such studies point to investment in vaccinations being an important means of improving health equity and reducing poverty, and to vaccinations providing value for money.

There is another aspect to this: investment in vaccinations in the poorest countries is also an investment in our own national security and resilience. I am always wary of the self-interest argument when it comes to defending overseas aid, and I think people generally see through those arguments, but polling evidence indicates that the general public understand that killer diseases such as Ebola do not respect borders and shows greater support for aid that focuses resources on tackling those diseases.

I will wrap up in a few moments, but I will close with several recommendations and observations, which the Minister will perhaps respond to today or follow up in writing at a later date. What efforts is Britain making, through its international partnerships and on its own, to improve vaccine coverage rates among the very poorest, ensuring that aid is spent on those who need it most and for whom it has the biggest benefit?

Distributional impacts should be taken into account when decisions are made about introducing or expanding vaccination programmes, and programmes accruing greater benefits to the poor should be prioritised over vaccines with less equity impact. Hard-to-reach families and people in isolated areas should be priority targets as investment among those people significantly reduces the likelihood of disease outbreaks, which are more costly in lives and the money needed to respond.

Despite significant progress since 2000, today, nearly one infant in 10—that is, around 30 million children—does not receive any vaccinations, and more than 1.5 million
children under the age of five die from vaccine-preventable diseases every year. Pneumococcal conjugate vaccines immunise against the most common cause of pneumonia, but they remain inaccessible to millions largely due to high prices, thus leaving behind the poorest and most marginalised children.

John Howell: I thank my right hon. Friend for giving way again; he is being most generous with his time. Does he see a role for the Prime Minister’s trade envoys in this sphere? We are often assigned to countries that fall into the categories that he has been talking about and we have a seminar coming up on the healthcare applications of what we can do. I do not think that that should concentrate solely on encouraging healthcare companies into those countries; it should also look at how we can help to develop those programmes.

Stephen Crabb: My hon. Friend makes an extremely important point. There are well established networks nationally in the UK and internationally, which bring policy makers together with academics, scientists and researchers who look at these issues. Surely within that there needs to be a role for people with a trade focus to link that investment angle into it as well. There would probably be a lot of interest, particularly among some of the private sector interests that are part of those networks, in seeing people such as Government trade envoys getting on board and helping with these programmes.

GAVI’s advance market commitment pilot, supported by the UK Government, has created a temporary but pioneering funding model that is changing the picture that I described—the poorest and most marginalised not getting access to vaccines—and it is doing so by changing the market. That funding mechanism can reduce the price of vaccines, such as the ones I have described for pneumonia, by creating an incentive for new manufacturers to enter the market and increase competition. The advance market commitment has succeeded in reducing the usual delay between introduction of a new vaccine in developed and in developing countries from 10 to 15 years to just three, reducing inequalities in access between rich and poor countries.

As we look to the future of programmes such as GAVI and the global health fund, which I was describing a few moments ago, we know that decisions will need to be made in due course about Britain’s ongoing support for those programmes. Those decisions will not necessarily be made anytime soon, but I urge the Minister and his teams, as they prepare for the replenishment conferences for GAVI and the global health fund, to bring together as much high-quality research and evidence as possible to enable them to make a strong, positive decision to continue funding those vital, life-saving programmes and, crucially, to explain that and show members of the public that it is a really good investment of our aid money for the future.

Investments in vaccines remain an enormously effective use of aid and contribute directly to achieving the sustainable development goals. Britain has a powerful track record to point to and we should do more to highlight that—not in the sense of being self-congratulatory, but to help to strengthen the broader case for overseas aid. Britain’s leadership in the field of vaccinations flows directly from the political consensus of a decade ago to expand our overseas aid budget and direct it towards some of the most difficult global challenges. The remarkable international effort on vaccinations underlines the importance of reframing that consensus and protecting UK aid.

2.53 pm

Jim Shannon (Strangford) (DUP): It is a pleasure to serve under your chairmanship, Mr Evans. I congratulate the right hon. Member for Preseli Pembrokeshire (Stephen Crabb) on bringing this matter to Westminster Hall for consideration today. I am very happy to make a contribution to support his proposals and the views that he has put forward.

When I look at my own life and at my two beautiful granddaughters, I know that there is little in the world that I would not do to protect them and help them, because that is what a father and a grandfather would do. There is no medication that I would not fight for, and that is why I have been trying to help my constituents to secure medication for their ill child and why I continue that fight, with help from the relevant Ministers. This is not the day for that debate; this is a separate debate, but I wanted to illustrate how much it would mean to me if I had to have medication to try to save my child and what I would do to make that happen. I do not think that there is one person in this Chamber who would not have the same opinion; we would do everything within our power to make it happen.

I think of those children in Africa and, indeed, throughout the world whose parents and grandparents have nothing; they have little or no way to get the help that their children need. As fathers and grandfathers, our compassion for them is illustrated through our own personal beliefs and through our actions to help those who do not have the ability to help themselves. That is why I am supportive of aid going to make a difference to the health of people in those nations, and why I have always supported DFID’s commitment and the Government’s commitment to the DFID aid programme. It may not be popular with everybody, but let us think about what it achieves. I will illustrate in my contribution what it achieves. It achieves a massive amount of help for the people who need it, and I am very supportive of that.

Prevention is better than cure. We have been practising that for some time on our own shores. It is why our newborns, every three months, have new injections that make them scream and their mothers squirm with guilt for knowingly causing them pain. The short-term pain will prevent massive life-threatening illnesses in the future and is of course well worth it, as we all know for knowingly causing them pain. The short-term pain will prevent massive life-threatening illnesses in the future and is of course well worth it, as we all know through our own parenthood.

It is estimated that the aid that we give GAVI between 2016 and 2020 will fully deliver on the UK target to immunise 76 million children and save 1.4 million lives. If ever anyone needed motivation for doing this, surely that is it—76 million children immunised and 1.4 million lives saved through the programme that we do; it is done by our Government. That is a tremendous result for the amount of aid that we grant for immunisation purposes. The fact is that through prevention we save money and promote economic growth, in that a child who is prevented from having a debilitating illness will be able to attend school and eventually start work and be able to provide, rather than being a drain on their family.
[Jim Shannon]

The right hon. Member for Preseli Pembrokeshire explained that when sickness comes into a family, the opportunity to earn is restricted right away, and that affects the whole family. That is the truth. If there are multiple cases in a family—two or three children and perhaps a father who is unable to earn and a mother who is not well—all of a sudden the problem is compounded. It is so important to recognise that.

There has been massive success with immunisation in Africa, and that must continue. For it to do so, we must have adequate funding and perhaps work more with partners across the world to ensure that they also have—I say this very gently—the conscience and the compassion that they should have for those who are less well off. The Vaccines for Africa Initiative website outlines success stories. There are some; let us not pass this by and say that we have not done well, because we have, but we can do more.

In 1977, smallpox was eradicated after a successful 10-year campaign carried out by the World Health Organisation. It was through our efforts with our partners that we made that happen. Before the vaccination programme began, smallpox threatened 60% of the world's population and killed every fourth person infected. That was the magnitude of smallpox. Vaccinologists are applying the lessons learned during the eradication of smallpox to control and eliminate many other vaccine-preventable diseases, so lessons learned have become good practice. That indicates how we have learned and how we intend to do better in the future.

The development of an effective vaccine against polio was heralded as one of the major medical breakthroughs of the 20th century. Currently, several different formulations of polio vaccine are in use to stop polio transmission. Poliovirus infections have fallen by more than 99%, from an estimated 350,000 cases in 1988 to 416 reported cases in 2013. Let us dwell on that for a second: a 99% reduction resulting from an immunisation programme. If that is not good news, there is something wrong with what we are listening to. That is what can be done if we have the commitment, the effort, the finance and the drive to make it happen. Our Government have been involved in that programme; our Minister and his Department have been involved in making it happen.

More than 5 million people have escaped paralysis since the launch of the Global Polio Eradication Initiative in 1988 by the World Health Organisation and its partners, of which we are one. Polio has been eradicated in the western hemisphere, and many other countries have been declared polio free. Again, that is tremendous news. As at the end of 2012, polio was endemic in only three countries in the world. The website to which I referred states:

"According to the GPEI, if enough people in all communities are immunized, the polio virus will be limited to spread and it will die out."

That has to be our goal; the complete eradication of polio. High levels of vaccination coverage against polio must be maintained to stop transmission and prevent outbreaks. The GPEI is constantly assessing the optimal use of the different vaccines to prevent paralytic polio and stop poliovirus transmission in different areas of the world. We have come so far, but we need to be vigilant to ensure that there is no comeback and that polio is totally eradicated.

Measles vaccination has not had the same success, but it is still a fantastic success story. It resulted in a 75% drop in measles deaths between 2000 and 2013 worldwide. During the same period, measles cases dropped by 58% from 853,500 down to 355,000—again, a massive drop and good news. The World Health Organisation recommends that every child receives two doses of the measles vaccine. I remember receiving it as a child in the 1960s quite well. I remember the swelling on my arm and the pain, but my dad stood next to me and made sure I had it done. He was always there to comfort me as well.

According to a report by the Measles & Rubella Initiative, African countries have made the most progress—fantastic progress. They reduced measles deaths by 86% between 2000 and 2014. That is another fantastic, well recorded success story of what we have done. Such stories ensure that we continue aiming for the eradication of these diseases.

Meningitis is a serious public health problem among 25 countries in the African meningitis belt. Every one of us, as elected representatives, has had constituents who have had meningitis in their family. We know of the blotsches, the faintness, the dizziness and the tiredness. We know that if our child or grandchild has those symptoms, our knees knock with worry about meningitis, but in African countries meningitis is very real. It extends from Senegal, on the shores of the Atlantic ocean, to Eritrea along the Red Sea. Meningitis is prevalent right across that stretch of Africa.

Half a million people living in that region are at risk from epidemic meningitis each year. In 1996, there was a particularly devastating meningitis outbreak, which caused more than 250,000 cases and 25,000 deaths. That was mainly due to the Neisseria meningitidis group A, or Men A, as it is referred to. Within 10 years, the Meningitis Vaccine Project developed an affordable Men A conjugate vaccine. The vaccine reduced the incidence of meningitis of any kind by 94%—is that not fantastic?—following a mass immunisation programme in Chad, in west Africa. If we can immunise, we can stop the disease, deaths, pain, suffering, sickness and illness, and that has to be good.

Stephen Crabb: I am enjoying listening to the hon. Gentleman’s speech. He captures well the sense of awe and wonder around some of the achievements that have been notched up in recent decades. Does he agree that we should be telling some of those stories in the school curriculum? As we think about Britain’s future global role, we should think about how to inspire a new generation of young British scientists to dedicate their education to going the last mile to finally eradicate some of the diseases he has been talking about.

Jim Shannon: The right hon. Gentleman is absolutely right. Too often, we focus on the negativity of life. Here is a positive thing we are doing. Others will speak afterwards with great knowledge of the subject matter and I look forward to their contributions. I am greatly encouraged by the young people of today, who have an eagerness and willingness to help others. That encourages me, as a grandfather and as the Member of Parliament...
for Strangford. I see talent, interest and compassion among young people today, who want to help. We should have this as part of our curriculum and education programme, so that we tell others and put a bit of pride back into what we do. That is why I am being positive in my speech. Sometimes we do not tell our story, but we should.

Stephen Crabb: On the subject of inspiring young people, is he aware of programmes such as the ONE campaign’s youth ambassadors programme, which links in young people with an interest and uses them to tell a story back to their own peer group about some of these exciting developments?

Jim Shannon: I am aware of that programme and the right hon. Gentleman is right; it is a smashing programme and can do great things. It can help young people to develop their personalities and their characters in a way that is good for everyone. That is the ultimate, perfect society that we all wish to live in. There are many young people who inspire us and give us great courage for the future.

I am blessed to have a great many church organisations, mission groups and individuals in my constituency of Strangford, both in Newtownards and across the whole constituency, which carry out individual projects, mostly in Africa and some in eastern Europe. They do smashing rebuild programmes for schools and medical centres. They do water aid projects as well. That is a subject for a different debate, but when it comes to ensuring that people do not have health issues, it is important that they have access to clean water. I pay credit to the churches and missions in my constituency, which do tremendous work, unselfishly giving their time, money and effort, and—I will say as a Christian—their prayer time as well. Those things are very important in trying to reflect the opinion of a constituency and how people think—how generous people are when it comes to giving, both financially and physically.

The work I have referred to must continue. We must play our part in helping other nations to fund this work for the good of humanity. It works, because we work together. How many things in this world can we do when we do it together, with a passion, belief and drive that we are all committed to? I say gently that we have to put our own people first, but that we also have to help ourselves outside our boundaries. I believe this is a great way for us to play our part. The inspiring programme that the right hon. Member for Preseli Pembrokeshire referred to is something for our young people to do—so many people want to do something. Our Minister and our Government are committed to doing the same. We should be encouraged by what we are doing, but we know that we have more to do. We have a plan of action in place—a plan of action that is working and that can do more.

3.7 pm

Bill Grant (Ayr, Carrick and Cumnock) (Con): It is a pleasure to serve under your chairmanship, Mr Evans. I thank my right hon. Friend the Member for Preseli Pembrokeshire (Stephen Crabb) for securing this important debate.

We must not underestimate the value of human capital to the future of developing countries. Around the world, year on year, countries are still losing the talent and potential of countless people, including children, whose lives are tragically cut short by vaccine-preventable diseases. The vaccines for these diseases exist: if we want those countries to reach their fullest economic potential, ensuring people there have access to vaccination must be one of our highest priorities.

Vaccines are vital in every sense of the word. They ensure that as many people as possible—children and adults—live and enjoy healthier lives throughout the world. Healthier people are more able to go to school and work, and to drive the growth of their countries’ economies, intellectually or physically. The logic and the evidence are clear: vaccines are a powerful force for economic development and wealth creation.

A recent Harvard study projected that vaccines will prevent 36 million deaths by 2030 and prevent a further 24 million people across 41 developing countries from sliding into poverty. Those are staggering and extraordinary figures. They show why it is so important that vaccination is at the top of the UK Government’s agenda for international development. We must not fall into the trap of thinking that health and economy are separate; in my view, they are inextricably linked. As the Harvard evidence shows, a healthy society can evolve to become a wealthy society.

I am delighted that UK Governments of various colours in the past decades have recognised the value of vaccines. In 2016, the Government invested £116 million of bilateral aid towards vaccination in developing countries. That was alongside £81 million in multilateral funding for vaccine-related areas. That funding, and all the Government’s past funding for vaccination in developing countries, has helped to save millions of lives, kept people out of poverty and brought prosperity to developing countries around the world. We as a nation must sustain those efforts and ensure that the projections in the Harvard study are achieved and, where at all possible, exceeded. Given the past record, I am confident that the UK Government will be a major contributor, and I hope that they can work with partners around the world to ensure universal access to life-saving vaccines.

In addition to improving access, we must also work on research, as has been mentioned, to develop new and improved but cost-effective and more easily accessible vaccines for developing countries and their citizens. The fruits of such research will go a long way towards ensuring that we banish once and for all the diseases that wreak tragedy around the world and hold back the economies of so many developing countries. Everyone, irrespective of what circumstances they are born into, should be able to live a life that is as healthy and productive as possible, and they should have as much access as possible to basic healthcare facilities, including vaccines.

It is shameful that people, especially young children, are still dying needlessly or suffering in large numbers from diseases that are so easily preventable by vaccination. I am thankful and proud that the UK Government recognise the health and economic importance of vaccination and are working tirelessly to build the healthier world that I am sure we all wish to see. The UK foreign aid budget has many critics, but, despite the odd failing, we can be extremely proud that the provision of vaccines is a key component of UK aid. I hope the Minister will confirm that such efforts will continue and might even expand.
At this point, I declare a slight interest. I am a Rotary International member, but I will congratulate Rotary here in Great Britain and Ireland, and their partners—including the Bill Gates foundation—for the Purple4Polio project, which, as was mentioned earlier, began way back in 1985. When that was introduced with such foresight all those years ago, there were 125 polio-endemic countries, with hundreds of new cases every single day throughout the world. Today, as was said before, only three polio-endemic countries exist, with some 22 reported cases in all last year. That is something that Rotary can be proud of, so well done to Rotary for its mission and its strapline “End Polio Now and Forever”. It is almost there and can see the finishing line.

Finally, we mentioned the successes of UK individuals in promoting vaccines. In fact, we are not talking about a vaccine, but an antibiotic. Sir Alexander Fleming, a Scottish physician and Nobel prize winner, was born in Ayrshire—not quite in my constituency, but in a neighbouring one. The provision of the antibiotic called penicillin was a success. We should be proud of this country’s achievement and our research and development. As was said earlier, we need to promote that more and encourage our young men and women as they come through life to look back at what their forefathers or forebears did. They can equal and, I am sure, better that as we enter into a new era of new technology, and medicines must surely be a part of that new technology. Artificial intelligence is way beyond me, but we can tap into genomics and we need to share it for the benefit of the people we share the planet with.

3.12 pm

Jeremy Lefroy (Stafford) (Con): It is a real honour to speak after my hon. Friend the Member for Ayr, Carrick and Cumnock (Bill Grant) and the hon. Member for Strangford (Jim Shannon), and especially after the fine opening speech from my right hon. Friend the Member for Preseli Pembrokeshire (Stephen Crabb). With my speech we have all four nations of the United Kingdom in a row, which is great because that shows how important it is for our country to support vaccination around the world.

In 1853, this House passed the compulsory Vaccination Act against smallpox, which was a great step forward, but that was 50 years after it could have happened. If we look at the literature of the first decade of the 19th century, we find references to the use of the vaccine in England and Australia. I know that for a fact because in the letters of a relative of mine, Mrs Lefroy, the wife of the Reverend Lefroy, who was the next-door neighbour of the Reverend Austen, the father of Jane Austen, we find that she was in correspondence with Dr Jenner as early as 1800. Her obituary in the Reading Mercury in 1804 stated:

“When the vaccine inoculation was discovered, she soon convinced herself of its beneficial effects, and having learned the process, actually inoculated upwards of 800 people with her own hand.”

So there is an instance of how something was available in 1804, yet it was not until 1853 that the House made vaccination compulsory. How many lives could have been saved had it been compulsory for 40 or 50 years before that? That is why there is no excuse not to make vaccinations available, when they have been tested and proven to be efficacious and safe, as soon as possible.

As chair of the all-party group on malaria and neglected tropical diseases, I will restrict myself to the introduction of the first malaria vaccine, RTS,S, which has been developed by GSK in partnership with many others—GAVI and PATH—with huge support from the British and US Governments and many others. It is now being piloted in three countries in Africa and we are already seeing the impact. It is not a perfect vaccine. There will be considerable improvements, but it ensures that children—it is particularly for children—have more chance when inoculated.

Combined with impregnated bed nets and, if the disease is contracted, with better medicines than we had 20 years ago, the vaccine will give children much more chance of survival. That is clear evidence of something of huge benefit to the children in the developing world in countries where malaria is still endemic. Let us not forget that it still kills 450,000 a year, most of them children. The highest prevalence is in Nigeria, the Democratic Republic of the Congo and the countries of east Africa as well as many other countries around the world.

I conclude by saying that investment in vaccination, as my right hon. Friend the Member for Preseli Pembrokeshire has said, has an enormous return: I think he said $45 per $1 invested; that is the kind of figure that I have seen. We will not go wrong if we continue to back investment in vaccines for diseases that affect the poorest, just as Dr Jenner did not go wrong in promoting his vaccine, even though it took this House 50 years to ensure it was available to everybody.

3.17 pm

Chris Law (Dundee West) (SNP): As ever, it is a pleasure to serve under your chairmanship, Mr Evans. I thank the right hon. Member for Preseli Pembrokeshire (Stephen Crabb) for bringing us not only this important debate, but light and truth to an area that is often overshadowed and neglected. Although there was a lack of consensus in Prime Minister’s questions today, I think we agree in this Chamber that vaccines have brought some of the greatest public health successes of the past century.

According to the World Health Organisation, immunisations currently prevent approximately 2 million to 3 million deaths—more than half of the population of Scotland—per year, and also prevent a large range of illnesses and disabilities associated with them. As we have heard, vaccination programmes do not just save lives; they also have a positive impact on increasing economic productivity.

Widespread access to vaccines in developing countries offers many benefits, including direct medical savings by preventing illness, and also through indirect economic benefits such as educational attainment, labour productivity, cognitive development, higher income, savings, and of course investment. I could go on. To put it simply, healthy children are more likely to attend schools and become economically productive adults. Vaccinating a baby benefits everyone in the long run. As all of us in the Chamber will note, we have all been through the vaccination process and are of course eternally grateful for it.

A Harvard University study published in February in the journal Health Affairs modelled the health and economic impact of vaccines for 10 diseases in 41 developing
countries. It showed that increasing vaccination rates in developing countries could reduce poverty. The co-author of the study, GAVI, the Vaccine Alliance, reported that in countries with the highest number of deaths, vaccines would help prevent 24 million people in some of the world’s poorest countries from slipping into poverty by 2030 because of the cost of medical treatment.

Previous studies have estimated that every dollar invested in vaccines—we have heard this today already—saves $16 in terms of healthcare costs, lost wages and lost productivity due to illness. There are even greater savings of $44 per $1 spent if the wider benefits of people living longer and healthier lives are taken into account. That all highlights the important role that vaccination has to play in reducing poverty.

We all welcome and support the good work that the Department for International Development is doing on vaccines. Through its funding of GAVI, it provides immunisation against life-threatening diseases around the world. Since its establishment, GAVI has reached 500 million children and prevented more than 7 million deaths in the process. Save the Children has estimated that UK investment in vaccines saves the life of a child every two minutes—something that we should all be proud of. However, I have done a little research in the House of Commons Library, and it came as surprise to find figures showing that UK bilateral aid spent on vaccination-related programmes dropped by almost half between 2013 and 2016. The UK Government must therefore refocus, and increase funding for vaccination-related programmes if we are to continue to save lives.

There can be no doubt that organisations such as GAVI play a vital role in ensuring the successful roll-out of existing vaccines, but we must also recognise that there is an urgent and pressing need to research and develop new vaccines—not only for emerging epidemics, but for those that already exist and have devastating consequences for human life and economies in developing countries.

HIV is a case in point. Notwithstanding progress, AIDS remains one of the world’s leading infectious killers, and new HIV infection rates remain stubbornly high—so high, in fact, that we are off track to meet the sustainable development goal targets. There is a consensus, which includes Bill Gates, Michel Sidibé and Peter Piot, that we will end AIDS only with an HIV vaccine. Does the Minister therefore agree with the experts that it is only by investing today in research and development on those new technologies that we can deliver on our promise of a tomorrow free from AIDS?

It is vital that poorer countries and emerging economies be helped to secure fair vaccine prices to increase coverage and save lives, so I ask what steps the Minister’s Department is taking to ensure vaccine price transparency and to promote competition within the market to increase affordability. The failing market was touched on earlier in the debate. Finally, how is the Department approaching the upcoming replenishment period and strategy review with GAVI?

Vaccines save lives. They can transform countries, offering opportunities for poverty reduction and greater social and economic development. We must ensure that existing life-saving vaccines are introduced into countries where people need them most, and support the innovation needed to develop new vaccines.
otherwise be incurred in treating serious illnesses has a positive effect on economic productivity. The concept is clear: according to a study published today in *Health Affairs*, vaccines will help to prevent 24 million people in some of the world’s poorest countries from slipping into poverty by 2030. Dr Berkley says:

“A healthy child is more likely to go to school and become a more productive member of society in later life, while their families can avoid the often-crippling healthcare costs that diseases can bring”.

The statistics prove the economic value of vaccinations to some of the poorest countries in the world. According to the WHO, in Africa alone, vaccine-preventable diseases result in a significant annual economic burden estimated at some $13 million. We have already heard about the recent research by the Johns Hopkins Bloomberg School of Public Health, which demonstrated that in every case where vaccines helped to prevent death or disability in 94 low and middle-income countries, including the world’s poorest nations, there was an estimated short-term return of more than 16 times on every $1 invested in vaccines. The figures show even more of an impact when wider economic benefits are considered, with the return on $1 dollar of investment increasing from 16 to 44 times.

From an economic perspective, UK aid funding for vaccinations simply makes financial sense by reducing the likelihood of disease outbreaks, the response to which is far more expensive. The economic benefit, however, will be under threat if current vaccination levels are not maintained. The WHO estimates a possible negative impact of some $59 billion over the next decade. It is crucial that Governments around the world recognise that vaccinations are one of the best buys for health and economic impact, and that they also recognise the risks to the economies of the poorest nations on earth if we are complacent about immunisation. With that in mind, will the Minister reaffirm the Government’s commitment to maintaining multilateral vaccine-specific funding?

Sustainable development goal 3 requires an end to preventable child deaths, and vaccinations have a crucial role to play in achieving that. Yet we know that the cost of medicines is pushing another 100 million people a year into poverty. When Ebola broke out in west Africa in 2014-15, the lack of an available vaccine resulted in devastating consequences for local populations and understandable panic in capitals around the world. The lack of a viable vaccine was due not to a lack of research, as several candidate vaccines had been developed by Governments for biodefence purposes, but to a simple market failure.

The Government are a founding member of, and have supported generously, the GAVI pneumococcal advanced market commitment. AMCs are designed to accelerate the development of key vaccines and increase their availability in developing countries. A third supplier has entered the market to supply pneumococcal conjugate vaccine, the most expensive vaccine in the GAVI portfolio. It is now selling the vaccine at roughly 40% of existing prices. Given that success, what steps are the Government taking to promote competition within the wider vaccines market so as to increase affordability? Will the Government support Save the Children’s call to extend the AMC mechanism to allow funds to be spent beyond 2020? Finally, will the Minister outline the Government’s plans for future working with GAVI?

As we have heard from colleagues across the House, vaccinations not only save lives, but help to support healthier, more productive populations in the poorest countries in the world. They empower countries’ economies to grow and prosper, while allowing aid money to be spent more effectively on proactive rather than reactive programmes.

We are rightly proud of this country’s commitment to supporting vaccination programmes in some of the world’s poorest nations, but it is crucial that such programmes are maintained for the long term. Immunisation must remain a political priority, and the UK should continue to be a global leader in immunisation. Vaccines form an intrinsic part of universal health coverage, and I hope the UK Government will publicly champion the principles of united healthcare within their bilateral and multilateral support, while increasing technical and financial support to help to strengthen primary healthcare systems.

Child mortality will not be ended without a comprehensive, accessible and enduring vaccination programme. I take this opportunity to reaffirm Labour’s commitment to ending preventable child deaths, and to the sustainable development goals more widely, and I am sure the Minister would like to associate himself and his Department with that.

3.31 pm

The Minister of State, Department for International Development (Alistair Burt): It is a pleasure to serve under your chairmanship, Mr Evans, and I thank all colleagues for taking part in today’s debate and for the way it has been handled.

I thank my right hon. Friend the Member for Preseli Pembrokeshire (Stephen Crabb) for the way he introduced this debate—indeed, others have mentioned the passion with which he spoke. Such passion is appropriate for the leader of Project Unubano, and for a number of years he has played an integral part in the Conservative party’s social action programme in Rwanda and Sierra Leone. He spoke about the non-partisan nature of this debate, and that was emphasised by contributions from the hon. Members for Dundee West (Chris Law) and for Birmingham, Edgbaston (Preet Kaur Gill). There is no issue between colleagues in the House on this subject, and we are rightly proud of successive Administrations of all shapes and colours, and the work that has been done in making the United Kingdom a global leader in vaccination.

My right hon. Friend drew attention to the history of vaccination and the United Kingdom’s involvement in it. He mentioned our position in contemporary medicine, research and development, and spoke about looking forward to the next stage. As the long title of the debate suggests, he then moved from that historical perspective to the wider economic benefits of vaccination, and emphasised a link that is not made often enough.

The hon. Member for Strangford (Jim Shannon) spoke, as he always does, with passion, commitment and great wonder about the success of these programmes. Sometimes there is immense concentration in the press and media of everything that is wrong, but in the world of medicine, lives have been saved by finding opportunities to invest in things that have led to a reduction in diseases that were once all too common, including in our own childhoods, let alone 50 or 100 years ago.
Medicine has made a remarkable contribution, and the hon. Gentleman was right to mention that. He encouraged us all to keep going on the eradication of polio, and he can be sure that we will.

My hon. Friend the Member for Ayr, Carrick and Cumnock (Bill Grant) linked access to our success and the importance of research, and he spoke with pride about his involvement with Rotary. I, too, am a Rotarian—I am an honorary member of the Rotary club of Sandy in Bedfordshire. I recently met Judith Diment, who is chair of the polio advocacy taskforce. Rotary has done remarkable work on that issue, and we pay tribute to everything it has done over the years.

My hon. Friend the Member for Stafford (Jeremy Lefroy) contributes a remarkable amount to this House through his work on malaria and in east Africa, and he related the importance of vaccine research in those areas. The hon. Members for Dundee West and for Birmingham, Edgbaston had some questions, and if I may, I will return to those at the end of my contribution—on this occasion I actually have some time, so I will be able to answer one or two of the questions, although not all of them.

Let me bring this back to basics and the practice of vaccination. My dad is a doctor, and I am old enough to have needed injections for polio when I was very young, as that was before the wonderful man developed his oral vaccine on a sugar cube. My dad had to give me my polio injections, and I hid under every available table in the surgery because as a small boy I was terrified of needles. He will be tickled pink to know that I am responding to a debate on vaccination today, bearing in mind the struggle he had to get near me with a needle. I am eternally grateful that he did, because those vaccinations protected me—as they did many others—from the ravages of polio. My dad is still with us, so he will be able to get a copy of this debate and realise that all those days from long ago are still remembered fondly by his son. This issue is that personal. The hon. Member for Strangford referred to the moment of pain caused by a mother when a child gets vaccinated, although she knows that it will do so much good in future, and today we are remarking on the remarkable good that is done.

The number of children dying each year almost halved between 1990 and 2012—a significant achievement. Nevertheless, around 375,000 children still die every year from diseases that could be easily prevented by vaccines. As we all agree, the challenge is most acute in the developing world, where nearly 1 million children die every year from pneumonia. In 2016, 7 million people were affected by measles, resulting in nearly 90,000 deaths. It is therefore right that the UK works through organisations such as GAVI, the Vaccine Alliance, the Global Polio Eradication Initiative and the World Health Organisation to tackle vaccine-preventable diseases.

Clearly there is a strong moral case for the UK and its international partners to support developing countries to tackle the scourge of vaccine-preventable disease—the contributions to the debate have shown that we all understand that. However, the economic case for vaccination—a subject that my right hon. Friend the Member for Preseli Pembrokeshire homed in on—is also unquestionable. Vaccinating against childhood diseases is one of the most cost-effective health interventions. As colleagues have said, for every £1 spent on immunisation, there is a direct saving of £16. Those savings include healthcare costs, lost wages and lost productivity due to illness. Vaccination is a key driver towards reducing childhood mortality globally, and vaccines administered in 41 of the world’s poorest countries between 2016 and 2030 will prevent 36 million deaths.

Vaccination provides economic benefits many times beyond the direct costs of vaccinating children, which is why it is such a high impact investment. As the hon. Member for Dundee West reminded us, if we take into account broader economic and social benefits, the return on investment rises from £16 to £44 for every £1 invested. The wider economic benefits of vaccination are vast.

By preventing illness, whole families are freed from crippling medical costs, which in turn can have a substantial effect on poverty reduction. Unexpected healthcare expenses push about 100 million people into poverty every year, making medical impoverishment one of the main factors that force families below the World Bank’s poverty line. A vaccinated child is more likely to be healthier, live longer and have fewer and less serious illnesses. Healthier and more productive populations trigger a virtuous cycle that results in enormous economic gains. Vaccinated populations therefore form a more productive labour force, resulting in higher household incomes and economic growth.

There is a clear positive relationship between immunisation and education. Vaccines support cognitive development, so children learn more and have more opportunities. In the Philippines, for example, routine immunisation was found to raise average test scores among students. When translated into earning gains for adults, the return on investment was shown to be as high as 21%. In Bangladesh, measles vaccination was found to increase school enrolment of boys by 9%.

There is also an effect on the next generation. Children of educated parents are more likely to be vaccinated and healthier. In Indonesia, for example, child vaccination rates are just 19% when mothers have no education, but increase to 68% when mothers have at least a secondary school education.

Additionally, the decrease in child mortality as a result of routine immunisation can have a significant impact on a country’s economy by reducing fertility rates. Since more children are expected to survive, families have fewer children. A lower birth rate has significant effects on child and maternal health, as well as a broader economic impact, not least in the role that it might play in the development of women’s opportunities in their societies. Up to 50% of Asia’s economic growth from 1965 to 1990 is attributed to reductions in child mortality and fertility rates. Overall, the savings that come from the need to pay for fewer medical interventions, combined with a healthier, more productive labour force and demographic dividends, create more economically stable individuals, communities and countries.

Let me turn to some of the questions asked by hon. Members. First, we are very proud to be the largest investor in GAVI, the Vaccine Alliance. The UK recognises the strong and convincing economic arguments for vaccines as being a clear development buy. That is why we, through the Department, have supported GAVI since its inception in 2000.

Since then, our investment has supported the immunisation of 640 million children and has contributed to the prevention of 9 million deaths from vaccine-preventable diseases. Those are remarkable figures that,
as my right hon. Friend the Member for Preseli Pembrokeshire said at the start of the debate, and as we have all said, we do not talk about nearly enough. If someone is looking for a demonstration to put to the people of the positive advantage not just of UK aid, but of any country’s development budget, and of why they are useful, vaccination is possibly the single most obvious example that they can give.

Between 2016 and 2020, the UK’s support to GAVI will directly enable 76 million children to be vaccinated and will save 1.4 million lives. Investment through GAVI represents a particularly high rate of return. The £16 direct return for every £1 invested, which I mentioned earlier, rises to £18 in the 73 developing countries that GAVI supports. Overall, between 2001 and 2020, in GAVI-supported countries, the long-term gains associated with a more productive workforce are expected to add up to £260 billion. Every year, as a result of vaccinations, each of those 73 countries will avoid more than £3.5 million in treatment costs.

Critically, GAVI not only delivers vaccines on an impressively large scale, but works to bring down the cost of vaccines to make them more affordable for the world’s poorest countries. Since 2011, GAVI has enabled a 43% reduction in the cost of immunising a child, from $33 to $19. That price cut means that UK taxpayers’ money goes much further and delivers a much greater impact, and brings those products within the reach of poorer countries’ Governments, which was a key point made by the hon. Member for Dundee West. Our support for GAVI is explicitly designed to ensure that Governments in developing countries gradually increase their contributions until they eventual transition away from aid, which the price cut also helps with.

In response to the point made by the hon. Member for Dundee West about bilateral funding, some time ago the United Kingdom made a decision to put its support for vaccination into GAVI, because it has a wider reach than our bilateral funding programmes. That is why the contribution to GAVI has been so strong: it allows us to reach more children. We continue to offer bilateral support to health systems to make them more sustainable. Of course, GAVI will work in some of the areas where the UK is also working directly through the Department.

On the need to ensure that vaccinations support equity, the financial benefits of vaccines are mostly accrued by poorer households, which are more susceptible to financial shocks from unexpected healthcare expenses. Immunisation programmes reduce the proportion of households facing catastrophic out-of-pocket health expenses. GAVI ensures that the right people are reached through the three equity measures in its monitoring framework, which track vaccination coverage by geography, poverty status and the mother’s education. We work with GAVI to ensure that the vaccinations are reaching the poorest, as my right hon. Friend the Member for Preseli Pembrokeshire said in his opening remarks. GAVI is designed to do so, and we will continue to work with it on that.

Stephen Crabb: Will the Minister address the question asked by several hon. Members about why the levels of inoculation seem to have plateaued internationally? Is that correct and, if so, what might be the underlying causes? I hope he will forgive me if he had planned to come on to that in the next few moments.

Alistair Burt: I cannot give my right hon. Friend the figures, but let me say two things. First, in some areas, there has been a reaction against vaccination. Earlier this year, two vaccinators in Pakistan, a mother and a daughter, were killed. The Pakistani Government have worked with others to try to change the nature of the programmes, but that is a reminder of how brave some health workers have to be. In some cases there is a supposed religious objection to vaccination, and in others it can be more direct.

Secondly, yesterday, in another context, I mentioned in the House the issues that are being faced in Yemen due to the de facto Houthi authorities in the north of Yemen, which have refused permission to transport vaccines into Sana’a. That has meant that 860,000 people in the north have not received vaccines, while hundreds of thousands of people in the south have benefited from the campaign. The Department is working closely with the World Health Organisation and through diplomatic channels to help unblock the use of vaccines in Yemen, particularly in Houthi-controlled areas.

In some areas, the cause is conflict; in others, it is an ideological response or a false fear that has been spread. In some areas, vaccinators are somehow seen as being connected to the west, and it is easy for false stories to spread. All those things need to be combated, and perhaps one way to do that is to ensure that there are more local programmes, because it is essential that the effort of vaccination continues, as all hon. Members have said.

In particular, we cannot afford to lose the chance to eradicate polio, and we have to be very careful. The rise in measles may be connected to some false stories about vaccines. There appears to be a market for people who want to spread those false stories, not only in developing countries but in places such as the United States. Fake news has to be combated. The outstanding research in this area makes it very clear that the benefits of vaccination far outweigh any potential medical consequences, of which there are some from time to time, but in a very tiny proportion of people. It is essential that the public grasp that.

Let me return to other remarks by hon. Members. We have talked about how we can ensure that future research is done in areas where the economic benefits of a vaccine may be questionable and about what help we can give. That is not an easy issue to tackle or to be absolutely certain about, because the specific diseases market is highly variable and pharmaceutical companies need to know that they will make a sufficient profit for a new market initiative to be possible.

However, things can be done to assist with that. GAVI’s advance market commitment, which the hon. Member for Birmingham, Edgbaston mentioned, has done significantly well, and we have provided finance to support it. It now produces 150 million doses of the pneumococcal conjugate vaccine annually at a price of $2.95, which is significantly lower than market price. GAVI also provided £390 million as an advance purchase commitment for the Ebola vaccine, which enabled Merck to make 300,000 doses available. In the Democratic Republic of the Congo, that vaccine was implemented 13 days after the Ebola outbreak was announced.
There are ways in which the international community can help to ensure that some of the costs are borne collectively, but that is not always an easy process, so there will always be issues about how to develop the vaccine and how to pay for it. The Government are well engaged in dealing with those.

I will conclude and offer my right hon. Friend the Member for Preseli Pembrokeshire a chance to respond. As well as the support for GAVI, the UK invests in vaccines in developing countries in a range of ways. We are a leading supporter of eradicating polio, as has been mentioned. That investment brings economic returns of many times the magnitude, and a stronger global economy that will benefit us all.

Hon. Members also mentioned Ebola. The handling of the recent outbreak contrasts with that of the previous one. The WHO and the Department supported the development of two Ebola candidate vaccines during the 2014 outbreak that have been brought through into the most recent one. These are some examples of how we—through DFID, GAVI and bilateral programmes to strengthen and sustain health systems—have been able to put vaccination at the very top of the agenda, as the most cost-effective way of dealing with health problems.

I conclude by acknowledging the dedication and hard work of all the health workers around the world, who often put their lives at risk to deliver vaccines to children, even in the hardest-to-reach places; by saying that I am very proud of the United Kingdom’s investment in vaccines in developing countries, and I say that on behalf of us all as this is a non-party issue; and by saying that saving the lives of children and improving the lives of families in some of the world’s poorest countries is simply the right thing to do.

Finally, I will say that the exchange between the hon. Member for Strangford and my right hon. Friend the Member for Preseli Pembrokeshire about the inspiration that can be gathered for this work and the promotion of it through schools, so that people are more aware of what we can do, is the way that we should finish today. Sometimes this place has to deal with difficult subjects that occasionally colleagues fall out over—not this one. This is something we can agree on and we can all use our own influence to ensure that a new generation of young scientists, young doctors and young health professionals are inspired to work, not only in this country but throughout the world, knowing how important vaccination will continue to be.

By way of wrapping up, I will just thank the Front Benchers. I thank my right hon. Friend the Minister for that very useful update he has given at the end of this debate. I also thank the other Front-Bench spokespeople, the hon. Members for Dundee West (Chris Law) and for Birmingham, Edgbaston (Preet Kaur Gill).

This has been a very useful debate; I have certainly learned a tremendous amount. I am grateful to all the colleagues who have spoken or made interventions, and for the spirit in which they did so. As my right hon. Friend the Minister said, this is an issue on which there should be no differences at all between the parties. It can bring this House together as something to unite behind, not to be self-congratulatory, but to recognise the remarkable progress that successive British Governments have helped to achieve internationally, in partnership with so many other international bodies and other Governments.

I will finish by asking the Minister to urge his team at the Department to keep briefing us and updating us on these developments. Do not keep Members in the dark—not that he does at all. However, there is a powerful story that we all want to tell in our constituencies about this issue, and it would be incredibly helpful if he and the NGOs that his Department works with provided us with as much information as possible.

Alistair Burt: Perhaps I might make an immediate commitment. I will write to all colleagues here, on the back of this debate, to set out some of the facts that have been raised by us all and, as it were, do it in the form of a factsheet, which they will then have available to give to constituents. I am very grateful to my right hon. Friend for the suggestion.

Stephen Crabb: I am grateful to my right hon. Friend the Minister for that response.

Finally, Mr Evans, I thank you. As ever, you have chaired this afternoon wonderfully. Diolch yn fawr.

Mr Nigel Evans (in the Chair): As someone who has witnessed the vaccination, via the Department for International Development, of many babies under a tree in Uganda with the International Development Committee, may I say what a privilege it has been to chair this debate?

Question put and agreed to.

Resolved.

That this House has considered the economic effect of vaccinations in developing countries.
Terminal Illnesses: Continuing Healthcare

[SIOBHAIN MCDONAGH in the Chair]

3.56 pm

Chris Evans (Islwyn) (Lab/Co-op): I beg to move,

That this House has considered the Government's policy on continuing healthcare for people with terminal illnesses.

It is a pleasure to serve under your chairmanship, Ms McDonagh, in this important debate this afternoon. I rise to speak today as a member of the Public Accounts Committee, which in November last year held an inquiry into the National Audit Office's report on NHS continuing healthcare funding. Although this particular issue concerns health policy in England and I am, of course, an MP for a Welsh constituency—you can probably tell that from my accent, Ms McDonogh—I secured this debate in my capacity as the secretary for the all-party parliamentary group on motor neurone disease, in which I have worked closely with the Continuing Healthcare Alliance, an organisation comprised of 17 different charities, including the Motor Neurone Disease Association and Parkinson's UK.

Many of those charities' long-held concerns were addressed in both the NAO report and the PAC inquiry, and we were all hopeful that the Government would finally address the many issues surrounding continuing healthcare, and rectify them to make the lives of those who suffer from ongoing or terminal illnesses that little bit easier. However, I am saddened to be standing here today to say that, judging by the Government's response to the PAC report, that was wishful thinking. The PAC set out a number of recommendations for the Government with regard to continuing healthcare, which the Government have yet to fully take on board. That is disappointing, but unfortunately—I am sad to say—not surprising.

One of the key issues highlighted by the NAO and the PAC was how the clinical commissioning groups—CCGs for short; they are responsible for administering and approving eligibility for continuing healthcare—are not being held to account for delays in assessments and eligibility decisions. In 2015 and 2016, a third of patients had to wait for longer than 28 days for a decision on their eligibility for continuing healthcare. The Government said in their response to the PAC report that 80% of assessments are conducted within 28 days, and that they will regularly monitor the effectiveness of the assessment procedure. That percentage—80%—sounds huge, but I wonder and worry about the other 20% of patients who are not receiving such assessments.

However, the NAO report demonstrated that existing mechanisms are not effective in addressing CCG performance. Across the CCGs, the percentage of patients judged as eligible for continuing healthcare, or CHC, ranged from 41% to 86%, which suggests there are differences in the way each CCG interprets the national framework for eligibility. The Government are yet to address this variance and provide more concrete proposals for changes to the process.

What is more, the Government seem more concerned with hitting the 28-day decision target rather than with assessing whether judgments are accurate and in line with the national framework. They must be careful to ensure that the quality and accuracy of decisions are not compromised by the drive to meet targets. Although it is important to ensure that patients are not kept waiting too long for a decision on their eligibility, we must make sure that those in need of help are not deemed ineligible, so as to hit waiting time targets.

The PAC also recommended that the NHS and the Department of Health and Social Care do more to raise awareness of the availability of CHC among patients, their families, and health and social care specialists. According to the CHC Alliance, two thirds of people do not find out about CHC until very late in their journey in the health and social care system. Furthermore, a 2016 survey of MND patients found that although 30% of respondents were receiving CHC, 33% were not aware that it existed. As many will know, motor neurone disease is particularly cruel; most people who are diagnosed will pass away within 18 months of diagnosis.

The Committee asked the Government to update it on how awareness of CHC has been raised among the relevant groups. The Government have said they will carry out joint work with the NHS to understand awareness gaps and how the process for determining CHC eligibility is understood, with a plan of action ready by summer 2018. As of this month, June, patient organisations are still waiting to be approached regarding levels of CHC awareness.

Another area in which the Committee required more clarification from the Government was on how they plan to improve the quality of the assessment tools and staff and assessor training. The Committee has also asked the Government to be clear on how they plan to monitor the impact of changes in reducing variations in eligibility rates between CCGs. Rather than give a detailed response, the Government instead chose to refer to the recent changes made to the national framework. They also said they would carry out the work providing more insight into CCG variations by autumn 2018, but it remains to be seen whether they will keep to that deadline.

The CHC Alliance has reservations about the changes. The eligibility assessment tools include the decision support tool, which is a checklist for eligibility. That tool lies at the root of the eligibility issues with CHC, yet only minor cosmetic changes have been made to it. There are also issues with the definitions of severe and priority conditions in some care domains. They can lead to the impression that CHC eligibility is for terminally or morbidly ill patients only, which is simply not the case. Such misinterpretations of the framework contribute to the very low conversion rate between the checklist and those receiving eligibility. The rate was only 29% across 2015 and 2016, according to the NAO report.

There are further concerns surrounding the Government’s proposals to stop CHC eligibility decisions being made in acute or specialised hospitals. That will seriously disadvantage those patients in need of long-term care in such settings. For example, a spinal injury patient in a specialised spinal hospital could be at risk of losing out on CHC funding if the Government choose to remove eligibility assessments and decisions from those institutions. I urge the Government to seriously reconsider that proposal, as it does nothing to help those in desperate need of CHC funding and causes unnecessary worry and concern for their families, friends and carers.
I mentioned the inconsistency of approval rates for eligibility across CCGs. The Committee recommended that the NHS should establish some sort of oversight process to ensure that eligibility decisions are made consistently within and across CCGs, as well as setting out criteria to identify and investigate outliers in eligibility decisions so as to generate a greater understanding of the variance in eligibility outcomes.

Jim Shannon (Strangford) (DUP): I congratulate the hon. Gentleman on securing this debate. There is no guiding framework for continuing healthcare in Northern Ireland, which makes getting a CHC assessment particularly challenging. It is unlikely to be offered or mentioned by someone’s local health or social care team, but it is definitely available. Does the hon. Gentleman agree that we need a UK-wide change in how CHC is managed for those who are terminally ill, instead of expecting phenomenal charities such as Macmillan to stand in the breach?

Chris Evans: I thank the hon. Gentleman for his intervention; he is always insightful. My experience is the same as his. Most people do not know about CHC. That is not just an issue for the Northern Irish, Scottish or Welsh Governments or whoever; it is a UK-wide issue. We are dealing with people who are near the end of their time on this earth, and we have a duty not just as politicians but as human beings, to ensure that their time is as comfortable as humanly possible. I think the whole House would support us on that.

The Government’s response has been to try to dodge responsibility by saying that the NHS already has assurance mechanisms to hold non-compliant CCGs to account. Those are mechanisms that the NAO report demonstrated are not effective in eliminating unwarranted variation when it comes to eligibility decisions. The NHS has not been addressing CCGs’ non-compliance with the national framework. The Government need to help and encourage them to do so to ensure that accurate decisions are made and that people in need of help are not left struggling without it.

Perhaps most concerning of all, there has been little substantive stakeholder engagement with patient organisations representing those affected by inconsistencies and variation in eligibility outcomes. In my discussions with a range of organisations, that is the No. 1 problem. They do not believe they have been asked what they think of how the present system is working. The Government did not lead a full public consultation for the national framework revision, and the closed engagement process has left patient groups feeling unhappy, ignored and out of the loop. The revision was conducted over a very short period, with a very select group of consultees. It is little wonder that the changes made to the framework are so unsatisfactory given that those in receipt of care have not been consulted on what changes need to be made.

All the pledges to improve the framework and the eligibility process mean nothing if the changes are not properly funded, so it was disappointing to see the Government provide such a vague breakdown of the costings of efficiency savings in their response to the PAC inquiry. They expect to reduce spending by £855 million, yet no details are provided as to how those large cost savings will be achieved without limiting either eligibility or the support provided. The Government believe they can save £122 million by improving the commissioning of care packages and a further £293 million by allowing CCGs to locally deliver improvement initiatives. However, those savings in practice may refer to cuts to care packages. We need further assurance from the Government that care packages and support will not be sacrificed to save money. Sometimes, there are issues wider than saving money.

Overall, the Government’s response to the NAO report and the Committee inquiry is disappointing and lacklustre. As with many aspects of the Government’s health policy, it seems that they view the revisions to the framework as a money-saving project, rather than considering the detrimental impacts the changes may have on the patients and their families who are in desperate need of CHC funding. It feels as though the Government have learned nothing from the report and have taken none of the recommendations on board. I am sad to say that that seems typical of the Government in so many areas.

The response was not good enough. Further clarity is needed on the issues. I have mentioned that the changes need to be set in concrete. Through my role on the all-party parliamentary group for MND, I have met several MND patients. I have to pay tribute to the bravery of those who are suffering with MND, as well as their families. I pay tribute to their passion to help others. If anyone wants to see humanity in action, I ask them to go along to a Motor Neurone Disease Association meeting. What strikes me is that it is not about them or the sufferer; it is about the people who come after them.

All my life, I have counted myself as a socialist in the belief that I have as much responsibility for the person sitting next to me as I have for myself. I honestly believe that I see that all the time in the Motor Neurone Disease Association. I can only pay tribute to those people from the bottom of my heart for the work they do for families and for carers. Even after the ones they loved have gone, there are still people out there fighting for those with MND. I know the Minister is compassionate. I have often been very impressed with her work in this Department and as a Minister for Justice in a previous life, and I know she cares. I hope that today she will show that the Government she represents really care about these people.

4.9 pm

The Minister for Care (Caroline Dinenage): It is an absolute pleasure to serve under your stewardship, Ms McDonagh. I start by congratulating the hon. Member for Islwyn (Chris Evans) on securing this important debate on NHS continuing healthcare. I pay tribute to the hon. Gentleman for Islwyn (Chris Evans) on securing this important debate on NHS continuing healthcare. I pay tribute to his inspiring work on the all-party parliamentary group for motor neurone disease. I also pay tribute to those who suffer from this very cruel illness, but to those who provide the unstinting care and compassion to loved ones who go through that horrible experience.

One of my first experiences as a Member of Parliament was helping a constituent who had motor neurone disease to get her continuing healthcare package to kick in during a very difficult time of her life. However, I am aware of the people to whom the hon. Gentleman refers. I met a few carers for people with motor neurone disease earlier this week, as part of carers week. As ever,
I was completely overwhelmed by their incredible sense of duty and the commitment that they give to those for whom they care.

The hon. Gentleman is right to ask for further clarity on the issues he raised, and I hope that today I can provide him with some reassurance on those issues about which he is most concerned. We know that continuing healthcare is provided to some of the people with the highest and most complex health and care needs in the country, and they deserve our support. Of course, the nature of the situation presents some challenges. The hon. Gentleman made some valid points about the current issues facing the NHS continuing healthcare system, including some of the issues raised in the Public Accounts Committee earlier this year. I will set about trying to address them all, and will drop him a line afterwards about anything that I miss out.

Decisions about NHS continuing healthcare are important because they have a very big impact on people’s lives. It is right that there is a careful and considered decision-making process in place. The hon. Gentleman talked about people not being aware of continuing healthcare, which was a really good point. It is fundamental that we raise awareness of continuing healthcare and ensure that those who are entitled to it during a particularly difficult period of their lives claim it. Work on that by NHS England and the Department of Health and Social Care is under way, and will be announced later this summer, as we have confirmed to the Public Accounts Committee.

My Department is responsible for the NHS continuing healthcare national framework, which the hon. Gentleman mentioned. An updated version of the framework was published on 1 March, and will be implemented on 1 October this year. The revised framework follows an extensive period of external engagement with stakeholders and patient representative groups, including the Continuing Healthcare Alliance and those working within the NHS and local government. The update incorporates a new structure, which is intended to provide clarity, reflect legislative changes such as the Care Act 2014, and include minor clarifications on some policy areas. It is really important to underline that none of the changes is intended to alter the eligibility criteria for NHS continuing healthcare or the extent of the service provided by the NHS.

The hon. Gentleman mentioned progress and the next steps on the NHS continuing healthcare assessment tools. As set out in the Government’s response to the Public Accounts Committee, my Department is working very closely with NHS England to review the NHS continuing healthcare checklist tool. That work is due to report by this autumn. However, we know that those changes alone are not enough to deliver all the necessary improvements, particularly on some issues such as the variation in eligibility criteria, which the hon. Gentleman highlighted. That is why we are working very closely to support NHS England with their NHS continuing healthcare improvement programme.

It is important to be clear that there will always be some variation in NHS continuing healthcare eligibility rates. Such variation can be due to a wide variety of reasons, including the age dispersion within the local population and variation between geographical areas in health needs. It is really important that NHS England is working to understand the unwarranted variation in eligibility rates between clinical commissioning groups, and helping them to apply the national framework more consistently. NHS England is also developing a pilot to test the feasibility and the cost of running a sustainable case-level audit of eligibility decisions across clinical commissioning groups, to provide that kind of assurance on consistency and fairness in the provision of NHS continuing healthcare, which we all know is utterly vital.

Another area that NHS England is working to improve is the length of the NHS continuing healthcare assessment process. A quality premium is now in place to incentivise clinical commissioning groups to carry out more than 80% of assessments within 28 days. There is, of course, also a fast track for those who need the service much quicker. Clinical commissioning groups with the highest numbers of delayed cases are required to establish improvement plans to set out key milestones and planned measures to improve.

The hon. Gentleman will be pleased to hear that progress is being made. The latest quarterly data shows that in the last quarter of 2017-18, 66% of assessments were completed within 28 days. That is still not good enough, but it is up from 58% at the beginning of the year. The number of clinical commissioning groups delivering the expected standard of 80% within 28 days has gone up from 52 to 87 so far this year. As I have said, there is steady progress, but more to do.

The hon. Gentleman raised the target of £855 million of efficiency savings that we are planning by 2021. It is really important that I make it absolutely clear that that is not a cut in spending, but a reduction in growth in spending. Spending will continue to rise in real terms, with a projected budget increase of almost 4% a year, and of 20% between 2015-16 and 2020-21. I think he will agree that that rate of growth would be the envy of many other areas of health and care spending—indeed, of many other Departments.

The eligibility threshold for NHS continuing healthcare has not changed. The assessment of needs by a multidisciplinary team, as well as the primary health need test that we set out in the national framework, must be adhered to when deciding on continuing healthcare eligibility. No financial considerations or efficiency programmes alter that. Any planned efficiencies are not predicated on changes to eligibility or on limiting the care packages available. Clinical commissioning groups have an absolute responsibility to ensure high-quality standards of care, and any reduction in the growth in spending must not affect that.

It is vital that we continue to work closely with NHS England, local authorities and key stakeholders to ensure that we keep improving the system for those who need it. I know that there is still work to do, as the hon. Gentleman has highlighted, but I hope that he can appreciate that the Government and NHS England are aware of the challenges that we face in the provision of NHS continuing healthcare. I hope that he is aware of my personal dedication to getting this right. I am confident that the steps we are taking to improve the system are the right ones and will deliver an improved experience for patients, families and carers.

Question put and agreed to.

4.17 pm

Sitting suspended.
Immigration Rules: Paragraph 322(5)

4.30 pm

Siobhain McDonagh (in the Chair): Before I call Alison Thewliss, let me say that I think it has become obvious to everybody that there might be quite a strict time limit on speeches.

Alison Thewliss (Glasgow Central) (SNP): I beg to move,

That this House has considered paragraph 322(5) of the Immigration Rules.

To assist those who wish to intervene or speak later, I will speak about the background to this issue and about recent case studies from my constituency, and then I have some questions for the Minister. That may help them tailor their remarks.

I pay tribute to the members of the Highly Skilled Migrants campaign group, who have now held four large demonstrations outside this Parliament and have been extremely active on social media. They have self-organised and worked hard to give this issue the attention it deserves. I also want to thank Amelia Hill at The Guardian and Kirsteen Paterson at The National, who have given this issue first-rate coverage.

For more than a year at least, the Home Office has been issuing highly skilled migrants, many of whom entered the UK via the tier 1 general route, with notices detailing that their leave to remain application has been refused. It seems that many of those decisions have been predicated purely on the applicants’ alleged poor character in the wake of amendments to their tax returns and income statements. In making those decisions, the Home Office has deemed highly skilled migrants a threat to national security under paragraph 322(5) of the immigration rules, which refers to “the undesirability of permitting the person concerned to remain in the United Kingdom in the light of his conduct (including convictions which do not fall within paragraph 322(1C), character or associations or the fact that he represents a threat to national security).”

That is highly inappropriate.

It is important to note that paragraph 322(5) is discretionary: it should be for the Home Office to determine whether to use it, based on the merits of each individual application. It also places the burden of proof on applicants, rather than on the Home Office. From my constituency casework, and from listening to highly skilled migrants who have contacted me, I have seen that that is regimented, calculated decision making. Individuals’ applications are refused whenever they supply details of different incomes, or seek to amend information in a tax return, often on the instruction of an accountant.

None of the migrants to whom I have spoken has any issues that should cause them to be considered a threat to national security, but the very invoking and recording of this paragraph could compromise their future work and travel. After all, what country would wish to accept somebody who had been refused by the UK on such grounds?

When an application is refused, it is incumbent on the applicant to challenge the decision through the courts. In many cases, the judge has overruled the Home Office’s decision, finding it entirely disproportionate. A number of refusals appear to have been predicated on nothing more than the individual making an honest mistake. As far as Her Majesty’s Revenue and Customs is concerned, when the correction is made, the case is closed. Some of the sums involved in those corrections are only a few pounds—sums of £1.20 and £1.60 have been reported—and many were from many years ago. For one of my constituents, it was from 2010. Many people have asked me, “If there was a problem back then, why didn’t it affect my status at that point?”

I raised this matter with the Financial Secretary to the Treasury at Treasury questions in May, and he confirmed that “people should clearly continue to make appropriate changes to their tax returns. I reassure her and the House that Treasury Ministers and HMRC officials are working closely across Government—particularly with the Home Office—on the issues that she raised in order to ensure that we get these matters right.”—[Official Report, 22 May 2018, Vol. 641, c. 710.]

Jim Shannon (Strangford) (DUP): I congratulate the hon. Lady on bringing this matter to Westminster Hall for consideration. Does she agree that some of those affected are doctors—highly skilled, highly valued members of our medical society—in the Ulster Hospital in Northern Ireland and in hospitals throughout the United Kingdom of Great Britain and Northern Ireland? We must ensure that those who are living, working and making a difference in our communities, and are pouring into them, are able to continue to do that without the undue stress of overly onerous immigration procedures, caused by simple non-criminal mistakes on tax returns. Perhaps some in this House have made such mistakes themselves.

Alison Thewliss: The hon. Gentleman is absolutely correct. Many of the people I have spoken to are in shortage occupations and are much valued. They are the very people we wish to attract to this country to work.

Mr Tanmanjeet Singh Dhesi (Slough) (Lab): Several highly skilled migrants in my constituency of Slough have had their Home Office applications refused due to the heavy-handed application of paragraph 322(5). Many who contacted me have lived in the UK for more than a decade and have British-born children, and are now in a state of despair. One told me:

“I have given my best years, and contributed to the growth of Britain. My private, family and professional life are established here. I am a law-abiding citizen and have never faced criminal charges of any kind.”

Does the hon. Lady agree that it is very difficult to respond to somebody in such circumstances, and that the Tory Government’s hostile environment must end?

Alison Thewliss: I agree. That chimes with many of the stories I have heard. We must think particularly about the impact on children, who do not know why their parents are not allowed to work all of a sudden. Some people have not been able to access medical care for their children, which is deeply worrying.

Paul Masterton (East Renfrewshire) (Con): The hon. Lady is aware of my constituent, to whom the case was applied. In many ways, the biggest impact was on his wife, because NHS Scotland removed her access to medical services, even though she was eight months pregnant. Although NHS Scotland and Home Office
ial pregnant need medical care and should not lose it due to circumstances. Certainly, women who are eight months pregnant cannot just take people off their lists in such circumstances. I was so concerned about his situation that I wrote to the Cabinet Secretary for Health and Sport in Scotland to ensure that all GP practices in Scotland understand that they cannot just take people off their lists in such circumstances. Certainly, women who are eight months pregnant need medical care and should not lose it due to Home Office errors.

Stephen Timms (East Ham) (Lab): Will the hon. Lady give way?

Alison Thewlis: If the right hon. Gentleman lets me make a wee bit of progress, I will appreciate it.

It seems extremely odd to me that HMRC could be satisfied, but that the Home Office should treat the same behaviour as akin to deception at best and terrorism at worst. If I, the Minister or anybody in the Chamber made a legitimate, in-time correction to our tax return our lives would not be turned upside down—as the hon. Member for Strangford (Jim Shannon) said—and we would not have the threat of removal hanging over our heads. It is said that half a million British citizens amend their tax records every year within the one-year grace period that HMRC allows. Others, of course, do it outside that period. None of those people is treated as a criminal under paragraph 322(5). The only reason highly skilled migrants are treated in that way is their nationality. As far as I am concerned, that is discrimination under article 8.

In one case that was reported to the press, an individual who had come to the UK via the tier 1 route went through this process. He presented a letter from his accountant detailing that the error was the accountant’s fault, and a letter from HMRC explaining that it was satisfied that the individual was not acting dishonestly, but the Home Office refused to exercise any discretion or change its original decision. In another case, after an individual’s tax information was scrutinised by three different appeal courts, no evidence of irregularities was found. The individual’s lawyer noted that the Home Office had made a basic accounting error by confusing his gross income with his net income.

Sir Edward Davey (Kingston and Surbiton) (LD): The hon. Lady is making an excellent speech. That is one of the key points: Home Office officials do not know anything about tax, and they are making decisions about people’s lives based on their tax information. This responsibility has to be taken away from them today.

Alison Thewlis: I absolutely agree. Paul Garlick QC, who specialises in extradition and human rights law, said:

“They genuinely have no idea of the difference between tax years and accounting years, or what is a legitimately deductible expense. My feeling is that since Theresa May’s announcement of a ‘hostile environment’ for immigrants, caseworkers have been told to look for discrepancies that could form the basis of an accusation that the applicant is lying, because that’s the quickest way to dispose of an application”.

Teresa Pearce (Erith and Thamesmead) (Lab): The hon. Lady is making an excellent case. HMRC has wide-ranging powers and can prosecute when there is any whiff of criminality, but it has not done that in any of these cases because these are mistakes or small errors of the kind that many of us have made.

Alison Thewlis: The hon. Lady is absolutely right. If there were a case to answer, HMRC would have something to say about it.

This issue affects not just those individuals. Last week, I spoke to Saleem Dadiboy, who employs 20 people in his business. If his situation is not resolved, all those people will be made unemployed and a British company worth £1.5 million will be wound up. That is economic madness, and the Home Office should carefully consider the impact of its target-driven culture on the economy, especially in these uncertain times.

I have spoken to many highly skilled migrants, all of whom have been distressed about the way they have been treated, having given the best years of their lives to the UK and made their home here. We should thank that group, not put them out.

My constituent, Omer Khitab, travelled to the UK on a study visa in 2006 and completed a master’s course in international marketing at the University of the West of Scotland in 2009. He then worked in journalism and marketing before starting his own business. His accountants completed his tax return on his behalf, and the errors they made inadvertently were rectified by my constituent a few months later. Omer has written documents from his accountants to prove that, and accepting full responsibility for the errors.

Omer also suffers from depression and anxiety, a factor that his GP and his psychiatrist have acknowledged would, without doubt, contribute to his inability to spot an administrative error in his tax return. His stress is only worsened by the ongoing nature of his case. He said:

“I feel this is my home, I thought my children will grow up here, I will get married and die here. That letter saying I don’t belong to this place, I am a threat to national security, it’s very hard to swallow”.

It is hard for all of us to swallow.

Dr Rupa Huq (Ealing Central and Acton) (Lab): Does the hon. Lady agree that, given the association of that rule with terrorism provisions, the implications are wide ranging and can leave a black mark on people’s lives forever? It is difficult for them ever to get a visa or to work anywhere worldwide after all that.

Alison Thewlis: Absolutely. That is why there needs to be a proper and thorough inquiry into the use of the provision. If Home Office staff are being advised to use it as a means of refusing people, they are clearly not looking at the full implications or the possible long-term impact.
My constituent Omer was refused leave to remain on the basis that he had deceived the Department, which goes entirely against all the evidence that he provided. Furthermore, HMRC has written to Omer to say that its staff are satisfied that he has acted honestly and not tried to deceive anyone.

Mustafa Ali Baig also travelled to the UK to study in 2006. He obtained master’s degree in international marketing from the University of the West of Scotland in 2009. Mustafa and Omer have a lovely picture of the two of them graduated—two young boys with all their lives ahead of them, and Omer certainly is almost unrecognisable from that picture, given the stress he has been under lately.

Before coming to the UK, Mustafa obtained a bachelor of law degree at the University of the Punjab, and he has master’s degree in political science. He has worked in business development, marketing and public relations, and has undertaken voluntary positions for civil rights and social action groups. He also volunteers to run a current affairs radio show. He is very much part of the Glasgow community, and he has gone above and beyond to advocate for his friends.

As far as I am aware, there is no question as to Mustafa’s integrity, but, due to that immigration rule, as the hon. Member for Ealing Central and Acton (Dr Huq) has just pointed out, he has been told that he is a questionable character and a threat to national security—as a result of correcting a small error on his tax return in 2010. That is no basis on which to remove someone in such a way. His case goes to the immigration tribunal on 20 June—that proves that decisions on such cases are still being made, despite what the Home Secretary has said.

Mr Sanjeev Pande travelled to the UK in 2005 on a student visa and graduated from Glasgow University in 2008. He started his own IT business and was also employed as an IT consultant and project manager—a lucrative career. Most recently, he had been leading an IT project for a bank in Scotland, before his right to work was removed by the Home Office.

Mr Pande applied for ILR—indefinite leave to remain—under long-term residency rules in 2017. He had been in the UK for 12 years at that point. He hired an accountant, but his tax return submissions were subsequently questioned by the Home Office. As a result, Mr Pande made attempts to change his accountant and to rectify the errors, but the Home Office has continued to pursue him on the basis that officials believe him to be dishonest.

Most distressingly, Mr Pande was detained at Heathrow airport on his return from a family holiday in 2017. His passport and BRP—biometric residence permit—were confiscated by immigration officers, removing his right to work. That has a huge impact on the family finances, because he has a mortgage and other commitments. Judges found in his favour at both first-tier and upper tribunals. Indeed, paperwork from the first-tier tribunal states that in some detail—it is a long quote but it is worth putting it on the record—with the judge saying:

“The refusal letter I think confusing in itself in relation to the Appellant’s income, but I have to say that I found both the Appellant and his wife to be credible witnesses. I do not think that they have acted dishonestly. The Appellant relied on the advice of an accountant. He was entitled to rely on that advice and whilst he is under a duty to check information, it is entirely unfair to expect him to have a level of accountancy and tax knowledge accorded to professionals in this field... He was clear that he sought clarification from the accountant but eventually, when he was unable to get satisfactory answers, he changed accountants... It also appears to me that the Appellant was unfairly treated by the Home Office. His passport was retained during the first appeal proceedings. As a result he was unable to find employment since employers refused to employ him without the benefits of his passport. He was, I think, therefore prejudiced and I consider that this matter should be taken into account in the question of proportionality.

Taking all of the above into account, therefore, I do not consider that the Appellant has acted dishonestly. He may have been misguided, but that is a different matter and I consider that it would be disproportionate in the circumstances to expect the Appellant and his wife to leave the UK, particularly as they own property in the UK, they pay tax in the UK and they have spent a considerable number of years here.”

The last case I want to highlight is that of a female constituent—I do not want to name her, because her children are at school in my constituency. She travelled to the UK from Nigeria and has been refused leave to remain in similar circumstances to the others, under paragraph 322(5) of the immigration rules. She legitimately made changes to her tax return, but the Home Office is again putting forward the argument that she has tried to deceive the Department and it has refused her an administrative review.

My constituent is a qualified accountant, and has been unable to continue seeking work in her field as a result of the status imposed on her by the Home Office. She has been made destitute as she has no recourse to public funds—many on tier 1 have no such recourse.

My constituent has been to my office to seek help in getting school uniforms for her children. Unable to work, she is struggling to keep her family afloat, and there is a real risk that she and her children will be made homeless as a result of the Home Office decision. Her landlord, the Wheatley Group, confirmed only yesterday that, due to the support of her church paying her rent, it was not to proceed with legal action to evict her at this point, but that option remains open. I am extremely grateful to the Wheatley Group for the discretion it has shown, but the situation is not sustainable—my constituent needs to get back to work.

The issue has been considered by the Select Committee on Home Affairs, and the Home Secretary corresponded with its Chair, committing to put all 322(5) applications on hold and to carry out a review by the end of May. As far as I can ascertain, that review has not yet been published and no further detail on it is available, although as I said in connection with my constituent Mustafa, 322(5) decisions are still being made.

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): I congratulate the hon. Lady on securing this debate, and I apologise for missing the first few minutes of it due to business in the main Chamber. She is absolutely right that the Home Affairs Committee, on which I sit, is still not clear where the Government are going on the matter. Does she agree that this scandal shows the wider systemic problem in the Department, as we have seen through Windrush, this immigration rule and a series of decisions being made wrongly when there is a hostile environment, a lack of discretion, cuts in staff and cuts in ability, as well as Ministers who, quite frankly, do not have a grip on what is going on in their Department? The net result is damage to individuals and their families.
Alison Thewliss: I absolutely agree. It is worrying that even the Home Affairs Committee cannot get answers on certain things. This rule is of huge concern, and decisions under it are clearly still being made, as I heard from people I spoke to at the Highly Skilled Migrants demo last week. They are clear upon that.

Anneliese Dodds (Oxford East) (Lab/Co-op): The hon. Lady is being generous in giving way, and she is making a very powerful speech. Does she not agree that the Home Office was made aware of such issues in letters from me and others present in this Chamber back in mid-March, but no action was taken? Having such a delay in action is simply not good enough when that is affecting people’s lives in such a terrible manner.

Alison Thewliss: Yes, I absolutely agree with the hon. Lady. For some months, I have been trying to get answers for the constituents who have been to me. The woman I mentioned came to see me in January, and she still has no answers in her case. When constituents come to us, it is not always evident that they are affected under those particular rules, and we often have to see the refusal letter to understand exactly why the refusal has been made, but a growing number of people have been getting in touch with me about finding themselves in this circumstance. Those who are not my constituents I have encouraged to get in touch with their own MP, as I am sure they have done going by the number of people in the Chamber today.

To add insult to injury, The Times reported this morning that a new visa route for migrants who want to start businesses in the UK “is to be expanded to include non-graduates under efforts to increase technological innovation.”

That is rank hypocrisy. How can the UK Government reasonably expect to attract new migrants to the country when they treat the highly skilled population who are already here, and have been for years, with such utter disrespect?

I have a number of questions, which I hope the Minister will assist with. When will the review that I mentioned be published? How many cases are in process, and how many are awaiting judicial review? I have asked the Home Office how many people have been refused under the provision, and I understand that Channel 4 News also put in a freedom of information request to the Department without getting an adequate response.

Was an instruction issued to start refusing cases under the rule? If so, by whom and when? On 2 May, The Daily Telegraph reported that Home Office caseworkers had discussed using previous amendments to tax returns to cast doubt on current tax returns. How widespread is that practice? Will the Minister allow people caught up in all this the right to work, the right to access NHS services and the right to rent during their appeals? They often lose those rights as soon as the administrative review is refused—that is the first line of appeal after the initial refusal—and, as was mentioned by the hon. Member for East Renfrewshire (Paul Masterton), that can have a serious impact, in particular on women who are pregnant.

Will the Minister tell me whether compensation is to be offered to those wrongly caught up in this mess, just like Windrush? People affected can be out tens of thousands of pounds, particularly if they cannot get legal aid for their cases, because they have not been able to work and have gone into debt and arrears.

Lastly, what does the Minister have to say about the impact of this policy on individuals? I have been told by many about the strain on their mental health; relationships with their family here and with relatives abroad, who they are not able to visit; the stress of having to report to the Home Office regularly, sometimes on a fortnightly basis; and the loss of employment. Does the policy have a wider economic impact?

The Home Office’s policy of deliberately targeting these highly-skilled migrants is yet another example of this cruel Tory Government’s hostile environment policy in action. The group being targeted here are highly skilled: they are doctors, accountants, IT professionals, teachers and academics, to name only a few. They have put down roots and contributed greatly to their communities.

The UK Government continue to talk about attracting talent, yet their behaviour towards this group shows that they clearly are not interested in retaining much of the highly skilled population who are already here—already well integrated and contributing hugely. I urge the Minister to take swift action now to support highly skilled migrants who have done us the honour of choosing to live here.

Several hon. Members rose—

Siobhain McDonagh (in the Chair): Order. As all hon. Members will be aware, this is a very popular debate—people have done very well in getting their MPs here. Eight people wish to speak in the 20 minutes remaining before I call the Front-Bench spokespersons, so if we are to get everyone in, I am afraid Members must not speak for longer than two and a half minutes. I call Douglas Ross.

4.51 pm

Douglas Ross (Moray) (Con): I will scrap most of my speech in front of me, but I thank you for calling me, Ms McDonagh; it is a pleasure to serve under your chairmanship. I genuinely congratulate the hon. Member for Glasgow Central (Alison Thewliss) on securing this debate. It is important that we discuss this subject. I am extremely grateful, as a member of the Home Affairs Committee, to have had the privilege of meeting campaigners and some of the affected people earlier today. That allowed the Committee members to hear some of the real hardships faced by a number of people because the immigration rules, which are there for a reason, are perhaps not being implemented in as useful and credible a way as possible.

We heard this morning that no fewer than 1,000 highly skilled immigrants face expulsion from this country under this paragraph. That is not right. The hon. Member for Glasgow Central mentioned the two individuals who owed HMRC £1.20 and £1.60; we heard that they were brothers and that that was their only offence against HMRC, yet the Home Office is using this rule potentially to remove them from this country. It seems that either a simple mistake or no mistake at all leads to law-abiding immigrants’ applications being refused out of hand. That means that no common sense is being used.
I was going to read from the letter to the Home Affairs Committee from the Home Secretary, but the hon. Lady did that. However, I urge the Minister to respond to this point: the Home Secretary said in the letter that he or the Immigration Minister would report back to the Home Affairs Committee by the end of May. Today is 13 June. I checked with the Clerk before this debate; despite chasing up the Home Office’s parliamentary officials this afternoon, we as a Committee still have no knowledge of the Home Secretary or the Immigration Minister’s response. We really need that as quickly as possible.

I asked our guests at the Committee this morning, because I did not want to put words into their mouths, whether it is the policy that is wrong or the implementation. I believe that they agreed that the policy is right—we are right to have these anti-terror policies—but the way it is implemented is wrong. I hope that the Immigration Minister will go from this debate and give case workers more clarification on how to use this policy the way it is intended, not to inflict suffering on people who should not be affected by it.

4.53 pm

Lyn Brown (West Ham) (Lab): I want to tell hon. Members about two constituents. Muhammad has lived in and contributed to the UK for 11 years. He has a master’s in architecture from Oxford Brookes. His wife is pregnant; he has a career, a home, a mortgage and a real life in the UK. The Home Office refused him indefinite leave on the basis of a minor tax error. The error was not his. Muhammad is dyslexic and does not do his own tax returns—they were submitted by a professional accountant, who made a mistake and issued an apology. Muhammad immediately paid every extra penny owed once the mistake was discovered.

Last year, Muhammad’s grandmother died. In April, his only brother died, too. He could not go to the funerals because he would not have been allowed back in the country afterwards. The baby is expected in June. If he does not pay that £9,000, his wife will come off the register. Muhammad is among the most amazing emails, but I told you—not you, Ms McDonagh; there is no doubt that you would have listened.

I wonder if the Minister will tell me whether she feels that these were good and honest mistakes. In here, we are allowed to make good and honest mistakes. The Health Secretary made a good and honest mistake when he forgot that he owned some luxury flats. I am sure that colleagues will agree that we can all forget the owning of luxury flats—I am sure I have forgotten many. He forgot to declare them to the Home Secretary, and I cannot remember where it was—[Interruption. ] Companies House, that is right. That was considered an honest mistake. Inam Raziq is an honest man. I will leave the judgment of the Health Secretary for everyone else here.

4.56 pm

Jess Phillips (Birmingham, Yardley) (Lab): Like all hon. Members, I have constituency cases in this matter. My constituent Inam Raziq has been fighting his case and it seems to have taken many years off his life, but also £80,000 of his money. He is among the people who helped to organise the hundreds of case studies spoken about today at the Home Affairs Committee.

I sent 300 case studies to the Committee and to the Home Office in November last year. In the seven months since I did that, the Home Office has failed to do anything about the issue. Let us be honest: it is just another issue of low-hanging fruit. It is the Government saying, in a target-driven culture, “Who are the people we can get rid of quickest?” I wrote to Ministers about this issue in November, telling them of all the hundreds of case studies, including the specific case of my constituent Inam. Still, when questioned about it, the Home Office says, “Oh, we didn’t know about it.” I do not write the most amazing emails, but I told you—not you, Ms McDonagh; there is no doubt that you would have listened.

I wonder if the Minister will tell me whether she feels that these were good and honest mistakes. In here, we are allowed to make good and honest mistakes. The Health Secretary made a good and honest mistake when he forgot that he owned some luxury flats. I am sure that colleagues will agree that we can all forget the owning of luxury flats—I am sure I have forgotten many. He forgot to declare them to the Home Secretary, and I cannot remember where it was—[Interruption. ] Companies House, that is right. That was considered an honest mistake. Inam Raziq is an honest man. I will leave the judgment of the Health Secretary for everyone else here.

4.59 pm

Faisal Rashid (Warrington South) (Lab): It is estimated that thousands of migrants who have been living and working in the UK for many years are wrongfully facing deportation because of minor tax discrepancies or rectifications. The immigration rules we are discussing today under paragraph 322(5) are extremely vague. Fortunately, the Home Office issued guidance on when to use that sub-paragraph to deny leave to remain. It states:

“The main types of cases you need to consider for refusal under paragraph 322(5)…are those that involve criminality, a threat to national security, war crimes or travel bans.”

Let us be clear: we are all here because the people being denied leave to remain under that paragraph are none of the above. They are doctors, lawyers, engineers, IT technicians and other highly skilled migrants who make a valuable contribution to our country.
One of them is a constituent of mine who has lived in this country for almost 10 years. He works in the IT sector, he has one son, who was born in this country, and his wife is expecting their second child. He is being punished because he made a minor tax rectification, which HMRC accepted, prior to applying for indefinite leave to remain. He even notified UK Visas and Immigration of the change. Because of that minor change, his application has been on hold for more than two years. He is anxious and concerned that he, like many others, will be forced to leave the country that has been home for him and his young family for the past 10 years.

My constituent works hard, pays his taxes, provides for his family and contributes to his community. His future and the future of hundreds of others in his position, should not be left in limbo because he did the right thing and corrected his tax returns. He and his family are living with stress, anxiety and uncertainty, which is not acceptable. It does not take a review to recognise that something is wrong here. Ordinary people who contribute to our economy are being denied leave to remain because of routine changes or simple mistakes. Are these wrongful deportations a result of pressure from the Government to meet deportation targets, or is the Government’s typical defence—that this is merely a result of their reckless incompetence—to be believed?

Mr Steve Reed (Croydon North) (Lab/Co-op): I congratulate the hon. Member for Glasgow Central (Alison Thewliss) on securing this important debate.

I will focus on one constituent, because the individual cases really highlight the damage the Government are doing. I have a woman constituent—she prefers to remain anonymous—who came here from Zimbabwe in 2007 after winning a British Council scholarship to Birkbeck College in London. She has been a model citizen ever since. She works very hard—she has never had fewer than two jobs at a time—and she brings up her three children without any recourse to public funds. She has held management jobs, and she is the director of a company she set up in 2010. She has been a governor and a volunteer at a school in her community. She has run three marathons for charity, she volunteers at Crisis at Christmas and she helped to set up an arthritis charity.

In 2010, this woman suffered the horrific experience of being raped. Her attacker was eventually sentenced to 15 years in prison. In the aftermath of that trauma, she made a mistake on her tax return. She put that down to the many pressures in her life at that time. Considering that she was dealing with a serious sexual assault, holding down multiple jobs, volunteering and bringing up three children, she had an awful lot on her plate. She realised the mistake herself, reported it to HMRC, put her affairs in order and paid off the underpayment. HMRC accepted that it was a mistake and did not impose a fine. A few months later, she applied to the Home Office for indefinite leave to remain, but, after a 19-month wait, she was rejected on the grounds of a tax discrepancy that had already been resolved to the satisfaction of HMRC.

This woman has now used up all her life savings on legal advice, has lost the right to work, can no longer afford to pay her mortgage or her bills, and is forced to live on handouts. She faces immediate deportation unless she can raise enough money to carry out further legal action. The Government have ruined this woman’s life.

Clearly, this woman and the thousands like her are assets to this country. They must not be used as pawns in the Government’s attempts to cover up the failures of their immigration policy by targeting people whose presence in this country is wholly legitimate and wholly beneficial. I hope the Minister agrees to suspend the use of paragraph 322(5) for purposes it was never intended for, sets up a hardship fund to help people this policy has damaged, and offers compensation to people who have lost their jobs, homes, savings and livelihoods because of it—and I hope she says sorry to the people she has damaged.

In the cases we are talking about, people have owned up to mistakes, tax has been paid and HMRC has been completely satisfied, but the Home Office has come back, sometimes years later, with recriminations—it has not just demanded more money but destroyed people’s livelihoods and, in a number of cases, broken up families—in a way that is wholly wrong and unfair. Like others, I have met many people in that situation.

My hon. Friend the Member for Birmingham, Yardley (Jess Phillips) referred to the Health Secretary, who failed to do what he should have done. As she said, he made what he described as an “honest administrative mistake” and received no sanction. I do not complain about the fact that there was no sanction, but we cannot have one rule for Cabinet Ministers and affluent people, and a completely different rule for our constituents. That is not the way things are done in Britain, and the Home Office cannot be allowed to behave in that way. People’s lives are literally being destroyed because they made honest administrative mistakes that have long since been rectified.

For far too many, the Home Office’s hostile environment has become an oppressive nightmare. This must end, and we need the Minister to take action today to start to put things right.

Steve McCabe (Birmingham, Selly Oak) (Lab): I, too, congratulate the hon. Member for Glasgow Central (Alison Thewliss).

I will concentrate on one case—that of my constituent, Mr Ifikhar Ahmad—although there are many others. He has run a business in this country that employs other
people since 2011. He is also a victim of the Prime Minister's hostile environment. I do not know what it says about the state of our country that we have ended up with a provision that was designed to protect us from terrorism being used to pick on people for minor tax difficulties, but it does not make it sound to me like the sort of place anyone would particularly want to live.

The Minister must know perfectly well that whenever MPs raise this issue, the replies they get are wholly inadequate. We get a cut-and-paste letter with a standard stamp on it, which tells us that nobody bothered to read our letter and that there is absolutely no prospect of our being told when the matter might be dealt with. I do not blame the Minister for the hostile environment—the Prime Minister created that state of affairs when she was at the Home Office—and I know that since this issue got a bit of attention in the press, the Government have announced that it is no longer their policy. I was delighted to hear that.

Despite the limited time, I wonder whether the Minister will tell us honestly what happened. She is the Minister left holding the baby. What happened? How did we end up in this state of affairs? Will she give us a clue about what she thinks is the number of people affected? I certainly have reason to believe it is well over 1,000. The number of people affected by Windrush started small, but we suddenly discovered it was much bigger. How many lives like the ones we have heard about are being wrecked as a result of this situation, and what will she do for people such as Mr Ahmad, his wife and his three children? He cannot provide for them anymore. Just like everybody else who is affected, he has almost spent his life savings—savings he accumulated through his hard work in this country, while he was paying taxes and helping the rest of us. He is almost spent up. Will the Minister give him a chance to work while the review is helping the rest of us. He is almost spent up. Will the life savings—savings he accumulated through his hard work in Parliament today as well as at other times. I do not think there is a more effective way to highlight yet another rotten Home Office stink than by relaying the personal stories of the individuals affected, as hon. Members rightly have. I started jotting them down—the hon. Member for Strangford (Jim Shannon) spoke about doctors who had made simple mistakes with their tax returns and the hon. Member for Slough (Mr Dhesi) spoke about law-abiding citizens with families who had been here for a decade—but I stopped when I got to the gobsmacking story relayed by the hon. Member for Strangford (Jim Shannon) who had been here for a decade—but I stopped when I got to the gobsmacking story relayed by the hon. Member for Strangford (Jim Shannon) about the accountant who had owned up and yet found that that was not enough to satisfy the Home Office, and about all the consequences that followed.

This all reeks of another episode of the Home Office coming up with a new wheeze to increase the number of people they can remove, and implementing it with no concern for whether decisions stand up to scrutiny in terms of the law or, indeed, basic common decency. It is clear that the Home Office did not like tier 1 general visas as they were closed to new applicants in December 2010, and those still in that process face severe repercussions—low-hanging fruit indeed.

Will the Minister, in responding, tell us whether there has been any change to Home Office guidance? Have any new policies or instructions been issued that relate to tax discrepancies and the relevance of paragraph 322(5) to that issue? If not, what is her explanation for this sudden upsurge in the number of cases we have seen in the last 12 months? Members have pointed out, and
were told this morning, that there are probably now more than 1,000 cases. Will she confirm the numbers her Department has? What do the data on appeals and judicial reviews tell us? What has happened to the review we were told was due to be completed by the end of May? Going further, why has the Department been so slow, given that those such as the hon. Members for Oxford East (Anneliese Dodds) and for Birmingham, Yardley (Jess Phillips) and my hon. Friend the Member for Glasgow Central have been raising this matter for months? Once again, it seems that there are systemic issues in the Home Office and those at the top do not appear to know what is going on.

When did the practice of comparing declared income on Home Office applications with tax returns commence, and what safeguards were put in place to ensure that caseworkers, who are not accountants or tax lawyers, did not put two and two together and come up with five? That is exactly what seems to be happening in too many cases. We have all read about cases where minor errors were corrected without demur from HMRC and where different sums were declared purely as a result of different accounting periods or rules applying. We heard again about cases where the difference was £1.20 or £1.60.

When was it decided that paragraph 322(5), which Home Office guidance states is usually to be focused on people involved in serious crime, threatens to national security, war crimes and travel bans, was remotely appropriate for the circumstances we have heard about today? As my hon. Friend the Member for Glasgow Central and the hon. Member for Acton (Dr Huq) said, that could have serious implications for applications to travel to other countries.

No doubt the Minister will flag up, as she has before, examples of where apparently there has been genuine fraud. Obviously she cannot publish the details of those cases, and that is understood, but the problems with that being the total response from the Home Office are twofold. First, it is utterly contrary to the experience of everyone in the Chamber, as has been relayed, and it seems that yet again the Home Office is using the excuse of a few bad eggs to throw out more than 1,000 people. Secondly, it is a question of trust. I do not think that many members of the public or MPs here—especially those raised by my hon. Friend the Member for Glasgow Central (Alison Thewliss) and my hon. Friend the Member for Ealing Central and Acton (Dr Huq)—will be happy with the Home Office saying, “Trust us. We’ll review things and sort it out.” If she wants us to have confidence in the process, there must be an independent review of what is going on. Will she set that up?

Finally—and most crucially of all—what steps can be taken to allow those individuals to live their lives here while they challenge what appear, in many cases, to be absolutely perverse decisions? Individuals and families are facing destitution and bankruptcy because of the outrageous changes to appeal rights made in 2014 and 2016. If the immigration system was just and respected the rule of law, they would all have an in-country right of appeal to a tribunal and their leave to remain would be automatically extended so that they could still work until the appeal process had been completed. What will the Minister do about that?

I finish by repeating what my hon. Friend said. So many of those involved are people we should be thanking, not threatening with removal. If there is one positive from today, it is that they know that MPs across the political divide are on their side and determined to put things right. I very much hope that the Minister is listening.

5.16 pm

Afzal Khan (Manchester, Gorton) (Lab): It is an honour to serve under you, Ms McDonagh. I thank the hon. Member for Glasgow Central (Alison Thewliss) for securing the debate and all Members for their contributions.

The Government’s treatment of highly skilled migrants has been shocking and unfair. Such migrants who have made legitimate and lawful changes to their tax returns are being put in the same category as serious criminals and terrorists. This is not just about the treatment of highly skilled migrants; it is about a hostile environment created by this Government, who treat all migrants like criminals and cannot distinguish between legal and illegal migrants. It is also about an ineffective Department that makes absurd mistakes, refuses appeals and cannot pick up on casework trends without media outrage.

First, I would like to discuss paragraph 322(5) and the way it is being used. According to Home Office policy guidance, it should be used for cases of criminality, threat to national security, war crimes or travel bans, yet a large number of refusals are on the basis of minor tax errors, many of which individuals picked up on and corrected themselves, as is their right. The Government’s overbearing hostile environment treats all migrants like criminals. Does the Minister recognise that many people are being penalised on the basis of 322(5) because of mistakes by the Home Office?

According to Home Office guidance, UK Visas and Immigration caseworkers are instructed to refer potential refusal decisions under paragraph 322(5) to a senior caseworker. Given the mistakes that I and other hon. Members have mentioned, does the Minister think that the system is working? How can such basic errors get past senior caseworkers and be allowed to play havoc with people’s lives?

Those are the actions of an overbearing Home Office driven by the Tory target of reducing net migration and failing to treat applicants in a fair and reasonable way. At least 1,000 highly skilled migrants seeking indefinite leave to remain are wrongly facing deportation owing to this paragraph. Our country desperately needs thousands of these people as NHS doctors, lawyers, teachers and engineers, and the effect of a refusal in such cases is devastating and lasting. People become ineligible for another visa and they are banned from returning to the UK for 10 years.

Often, people are either given only 14 days to leave the country or, if they stay, refused the right to work, to rent or to access NHS services. That is all without mentioning the mental and emotional effect of the process. During Home Office questions last week, I raised the issue of highly skilled migrants with the Minister, who said that,

“there have been several instances where those minor discrepancies have run into tens of thousands of pounds.”

She went on to say:
"We want to make sure that we collect the amount of tax that is owing."—[Official Report, 4 June 2018; Vol. 642, c. 7.]

Of course nobody here would disagree that we want to collect tax that is owed. However, it is in HMRC’s interests for people to correct their taxes, and HMRC is explicit that that is entirely permissible and encouraged, if done within the 12-month timeframe. Is the Minister comfortable with the role the Home Office is taking on, second-guessing HMRC decisions and reassessing cases that it has said are settled and will not be penalised?

In conclusion, many cases of highly skilled migrants are heartbreaking, not to mention nonsensical from the perspective of the UK’s interests. Our NHS is facing a staffing crisis, and our businesses need skills. Yet the Home Office is denying visas to NHS doctors, lawyers, teachers and engineers, condemning them to be labelled as terrorists, criminals and a threat to national security when they have committed only minor tax errors. Will the Minister commit to apply paragraph 322(5) properly—to target serious criminals, not bad accountants? Will she tell her officials not to automatically deny visas when they spot minor mistakes? Will she recognise that minor mistakes in tax returns are not evidence of fraud? This reckless and hostile environment is targeting the wrong people.

5.21 pm

The Minister for Immigration (Caroline Nokes): It is a pleasure, as always, to serve under your chairmanship, Mrs McDonagh. I congratulate the hon. Member for Glasgow Central (Alison Thewliss) on securing this exceptionally well-attended debate. There have been numerous contributions from hon. Members; I fear I will not have enough time to do them justice by referencing them individually, but I think it is important that we look closely at this whole matter. That is one reason why we have the review.

The hon. Lady and many hon. Members have raised individual cases, which are of course central to this debate, but we must also reflect on the policy as a whole, and many hon. Members have requested that I do so.

Stephen Doughty: When the Minister appeared before the Home Affairs Committee in May, she claimed she had not had the time to look at those cases because there had only been two working days since the issue had been flagged up. She was told in November last year by my hon. Friend the Member for Yardley (Jess Phillips). My hon. Friend the Member for Reading East (Matt Rodda) wrote to her in February and we have heard that my hon. Friend the Member for Oxford East (Anneliese Dodds) wrote to her in March. Can she clarify for the House, and for other members of the Committee, when she first knew about this issue?

Caroline Nokes: It is important that we reflect that I cannot comment on correspondence received by my predecessors back in November. What is important is that we are looking at the review now and at the individual cases, of which there are many. I will come to the specific points about numbers in due course.

As hon. Members will know, the Government are committed to building an immigration system that is fair to British citizens and legitimate migrants, while being tough on those who abuse the system or flout the law. We welcome those who wish to come here, stay here and take up highly skilled work, but people must play by the rules. Reports have suggested, and we have heard it repeated today, that the Home Office has been telling people who made a minor mistake on their tax records that we are deporting them because they are a threat to national security. I want to be very clear: that is not what is happening. We are not refusing people for making minor tax errors. We are certainly not saying they are terrorists.

The refusals we are discussing all relate to the tier 1 (general) route, which allowed individuals to come to the UK to look for work without needing a sponsoring employer. The hope was that they would make a significant economic contribution to the UK through taking up highly skilled jobs. The Government closed the route in 2011, as it had not worked as intended and, indeed, there were levels of abuse. Many applicants ended up in relatively low-paid work; an operational assessment of the route in 2010 found that 29% of tier 1 migrants were in low-skilled jobs and the employment of a further 46% was unclear. When they applied to extend their stay, many had PAYE earnings that were below what they needed to score enough points to remain in the route, but they also claimed for self-employed earnings. In some cases, the evidence showed that the claimed self-employment did not happen, and in other cases the evidence was less clear.

We were unable at the time to carry out the same level of checks with HMRC that we can today, and applicants in those cases where the evidence was not clear were given the benefit of the doubt. Now that those same individuals are applying for settlement, we are able to make more rigorous checks with HMRC on what applicants have told us in the past about their self-employment, and compare it with what they have told us for HMRC purposes.

Again, I want to be really clear: we do not have a policy of refusing people for making minor tax errors. We all know that many people have to make corrections to their tax records. However, there is a clear pattern that does not reflect that sort of minor correction. In many cases, more often than not, the self-employed earnings used to claim points in the tier 1 application have been £10,000 or more higher than the self-employed earnings reported to HMRC. That is not minor.

There are numerous examples where applicants have either not amended their tax records, or have amended them several years later, only shortly before applying for settlement, so that the records match. We have even seen cases where applicants have subsequently amended their tax records back down again after applying for settlement.

We give applicants the opportunity to explain, and we take their explanation and all available evidence into account. Any such cases must be signed off by a manager before they are refused. The review that I am carrying out is checking those safeguards to make sure that they have been followed correctly. We refuse cases only where applicants have been unable to provide a satisfactory explanation of what their self-employed activities are or why their earnings reported to the Home Office and to HMRC are so different. We will refuse cases where the evidence leads us to conclude that an applicant provided misleading information to one branch of Government or other.

Afzal Khan: Will the Minister give way?
Caroline Nokes: I am sorry; I only have a few minutes and I want to explain what paragraph 322(5) is for. It is for refusing applications where the evidence shows that an individual has not played by the rules. While there has been a focus on the minority of judgments that go against the Home Office, more often than not the courts have supported our refusal decisions.

Lyn Brown: Will the Minister give way?

Caroline Nokes: I am sorry; I simply do not have time. I have about three minutes left.

To pick an example, in May this year the upper tribunal agreed with us that an applicant’s explanation was simply “hopeless”, and noted the timing of the amendment in relation to the ILR application. Paragraph 322(5) is a long-standing provision within the immigration rules, dating back to 1994.

Lyn Brown: Will the Minister give way?

Caroline Nokes: I have already told the hon. Lady that I will not. Paragraph 322(5) was not introduced to support compliant environment policies, as has been suggested, as it long pre-existed those policies. It does not mean that any particular individual represents a threat to national security, but for obvious reasons we do not seek to isolate national security refusals from others.

However, I also recognise that it is not enough simply to talk about circumstances that happen more often than not. Each case is individual and must be treated on its own merits, which is why we are using this review to make sure that no one who has made an innocent mistake has been caught up in tackling the wider abuse. That is why we have had this review, which is still ongoing. The first phase is complete, and I just wanted to indicate specific numbers. There were 281 in the first phase and 1,671 in the second. While I do not wish to prejudge the final conclusions, it has been very clear that they are broadly in line with what I have said this afternoon. I will report the conclusions of the review to Parliament once it is completed.

The first phase of the review, as I indicated, is already complete. As soon as the second phase, which is a significantly higher number, is done, we will report it to Parliament and to the Home Affairs Committee, as I said.

We are aware of 427 appeals and judicial reviews in progress. Many are still outstanding, but no applicants have been successful at judicial review, and only 38 appeals have been allowed, mostly on human rights grounds. All current cases are on hold, and while it is the case the applicants’ statuses are protected, that means that those who applied before their existing leave expired can continue to work, and their other rights, to rent and to NHS services, are also unaffected.

In 50 of the cases we have considered, there has been a discrepancy in excess of £10,000 between the income claimed to HMRC and the income claimed to UKVI, and 34 of the applicants sought to amend their tax records only within the 12 months preceding the submission of an application.

It is very important that we have a rigorous review that reports when the findings are clear. However, I would like to inform Members this afternoon that we have taken a very thorough approach with this, determined to find out whether there are any genuinely wrong refusals and to put them right.

Question put and agreed to.

Resolved,

That this House has considered paragraph 322(5) of the Immigration Rules.

5.30 pm

Sitting adjourned.
1.30 pm

James Gray (in the Chair): We start the afternoon in this great Chamber, Westminster Hall, with a debate on the recent report by the Select Committee on Environment, Food and Rural Affairs entitled “Brexit: Trade in Food”. It is normal on these occasions for the Minister to be present at the beginning of the debate, although that is not required under Standing Orders. I suspect he may be approaching the Chamber quite quickly. There being no further intelligence on where the Minister might be, I know the Parliamentary Private Secretary will take a keen interest.

Dr David Drew (Stroud) (Lab/Co-op): The PPS can do it!

James Gray (in the Chair): Order. I know the PPS will take a keen interest in how the Chair of the Environment, Food and Rural Affairs Committee approaches the motion.

1.31 pm

Neil Parish (Tiverton and Honiton) (Con): I beg to move,

That this House has considered the Third Report of the Environment, Food and Rural Affairs Committee, Brexit: Trade in Food.

It is a pleasure to serve under your chairmanship, Mr Gray. As you have said, let us hope we see a Minister in the very near future.

Before we begin, it is one year since the disaster of Grenfell Tower, and I want to remember those whose lives were devastated when they lost their loved ones and their homes. We should all reflect on that.

I welcome the Minister’s announcement in the Chamber last night that the Department for Environment, Food and Rural Affairs will bring forward two Bills on sentencing and animal sentience, as recommended by our Committee.

The British public voted to leave the European Union in 2016 so that we could take back control of our money, laws and regulations. Farming is a prime example of that. For 40 years, all our policies have come from Brussels, but now we will be able to decide a new farming policy for ourselves. I chaired the agriculture committee of the European Parliament, and in trying to deal with 27 countries, from Finland in the north to Spain in the south, it can sometimes be difficult to come up with a policy that suits everyone. We have a bright future, provided we embrace what will be good not only for the environment, but for farming and food production in this country.

We need to know exactly what impact Brexit will have on our agricultural sector. That is why the Environment, Food and Rural Affairs Committee held an inquiry on Brexit and food, which we published on 18 February.

My Committee spoke to many people—farmers from all sectors, academics and other food and farming professionals—and they all agreed that trade is crucial to the farming industry. As a rural MP and a former dairy farmer, I know more than most how important that trade is. [Interruption.] It is good to see the Minister arriving. I will allow him to take his seat. It is all right, Minister. It is usually me who is late, not him.

The Minister for Agriculture, Fisheries and Food (George Eustice): I must give my apologies for missing the start of the debate. The reason is that I thought a debate of such importance should be in the main Chamber. I was hovering outside the wrong Chamber, but I am here now. I apologise for missing the first few minutes.

We have a great farming industry and high-quality products, and it is important that that is supported over the coming years. Continued trade with the EU is essential to ensuring our farming sector thrives after Brexit. We must have an outward-looking, global Britain. That will be key to seeing our agricultural sector flourish, but we must also maintain a good share of our home market and home production. I feel strongly about that. We buy 70% of our food and drink imports from the EU, and we sell 60% of our food and drink exports back to the EU. We can see that trade to the EU is extremely important, and that means that a farming-focused free trade agreement with the EU is essential. We have always sought reassurance from Ministers that as the deals are done, DEFRA, DEFRA Ministers and the Secretary of State will be at the forefront.

If we do not reach a free trade agreement with the EU, our agricultural goods might well be subject to tariffs once we have left. EU tariffs are high. Tariffs on dairy products are over 30%, and they can be as high as 80% on frozen beef. Reverting to World Trade Organisation rules would be even worse, as tariffs there are far higher for agricultural goods than for many other products. In addition, all countries must be treated equally under WTO rules. For example, Irish beef would need to have the same tariff as Brazilian beef, which could be devastating not only for us, but for Ireland. That is why our report recommends that the Government undertake work as a matter of urgency to evaluate the impact of any deal that they negotiate.

We are calling on the Government to publish a sector-by-sector analysis on the impact of Brexit so that we can better understand how tariffs will affect our farmers. For instance, in the dairy sector we import a similar amount to what we export. We are often importing yoghurts and cheeses, and we have the ability to produce more of those ourselves. We could therefore reduce the need for imports, as we could in other sectors, such as the pig and lamb sectors.

We export some 40% of our lamb, and import some 35%. On the face of it, we could say, “That’s okay. Stop the exports and the imports and we can eat all our own lamb,” but in reality we are exporting fifth-quarter joints and importing legs of lamb from New Zealand.
We can see that the trade in lamb backwards and forwards, and with France in particular, is incredibly important.

The Secretary of State assured us on the sector-by-sector analysis yesterday in Committee, and I seek your assurance, Minister, that that work is under way and will be published. In my view, it should have been done already. We have seen, rightly in many respects, many more extra staff being taken on in DEFRA, but I have to say bluntly to you, Minister—

James Gray (in the Chair): Order. It is not me that the hon. Gentleman is addressing, but the Minister. You are speaking to “him”.

Neil Parish: I beg your pardon, Mr Gray. I say to the Minister, what is happening with the sector-by-sector analysis? When can we expect the analyses to be published? In all the evidence we took for our report, we found that the trading arrangements affect different sectors in very different ways. We need to know exactly what those trading arrangements will be to ensure that we maintain our food production.

A farming-focused free trade agreement is not the only way that the Government can support farmers. I am sure that you, Minister—

James Gray (in the Chair): Order. It do not mean to be stiff and pompous, but the reason for the convention is that referring to all other Members in the Chamber in the third person removes the directness from the debate. It is not “you”, but “he” or “the Minister”.

Neil Parish: So I can say “Minister”?

James Gray (in the Chair): It is perfectly reasonable to say, “As the Minister will know,” or, “As I hope the Minister will say in replying to the debate.” It is not in order to say, “As you know, Minister,” or, “As I hope you will say in your reply.” You may not use the word “you” apart from when you are referring to me, and I have no part in the debate beyond chairing it.

Neil Parish: Thank you, Mr Gray, for that clarification.

Farmers offer vital support to the rural economy, with the food and farming industry generating more than £110 billion a year, and employing one person in eight in the country. Food and drink, much of it produced in this country, is a vital industry, and the way our food is produced is so important for our natural environment, as we can see in many parts of the country.

The Secretary of State was in Exmoor and Devon last week, where the farming of sheep and cattle produces that lovely landscape with many natural features. Within those natural features is a managed farm landscape, which is why the profitability of food and agricultural production is so necessary. We can look at environmental payments, but they will not be able to replace the profitability of agriculture and food production entirely. The two need to go hand in glove, which we are really keen to see happen.

Kerry McCarthy (Bristol East) (Lab): As a member of the EFRA Committee, I apologise for not being able to stay for the whole debate; I am on the Ivory Bill Committee, which sits again at 2 pm.

I entirely support what the Chair of the Select Committee says about the need for much greater clarity and strategic direction from the Department, but it is also important that we hear a lot more from the Department for International Trade and the Department for Exiting the European Union. I asked about rules of origin and their impact on the food sector this morning and got a very disappointing response. Does he agree that all three Departments need to send a clear message to farmers and food producers about what the future holds for them?

Neil Parish: I thank the hon. Lady for her intervention and for the excellent work that she does on the Select Committee. She makes a very good point about geographical indicators. Interestingly enough, when the Secretary of State visited Exmoor and Devon last week, there was talk of giving protected geographical indication status to Exmoor, where we can sell lamb from both sides of the border—from Somerset and from Devon.

All those things are intricately linked to the need for a future food policy, so that people know where their food has come from and so that we can market it better and, hopefully, get a better price for the producer. That money can then be linked back to the landscape. I cannot emphasise enough that the landscape and the food production, especially in certain parts of the country such as big livestock areas and more marginal land, are intricately mixed.

We must also ensure that we have high-quality vegetable production. Where we can produce organic vegetables, we should; where we can produce vegetables with fewer pesticides and fungicides, we should. We must be very positive about a food policy. I am worried that in the recent Command Paper on health and harmony, the only real talk of food production was very much at the high end. The high end of food production is great—from local restaurants, to tourists buying food and to everything linked to the countryside. However, we also need affordable food that the whole population can eat.

At least 90% of our food business goes through our major retailers, and people often buy on price. As we move forward, we have to be assured that our vegetable production not only is of good quality, with high welfare standards, but comes at a price that the average consumer can afford to—and will—pay. Whatever we buy in life, it is a choice, so not only do we want to have good, high standards, but it needs to be affordable.

We have a managed landscape with many natural features, as I said. The onus is on the Government to engage more closely with the industry to provide the food and farming sector with greater clarity. Tit-for-tat tariffs will do more harm than good—just look at the situation in America. The Americans have started putting tariffs on steel and aluminium. That might well help the steel and aluminium industries in America, but it will drive costs up for the industries in America that need to use those products. Food, a commodity and a manufactured product, does not need tariffs on it. In the end, that will only create more costs and could well lead to higher prices to consumers. I do not believe that those tariffs will ever come back to the producer.

It is imperative that we have a farming-focused free trade agreement with Europe. I repeat what has been said day in and day out in this House: two years since the referendum, all sectors—not just the farming sector—
need some clarity on the direction in which we are going. People in all lines of business need to make investments, but those in the beef and dairy sectors in particular need to have a long-term view of where the world is going in order to make investments.

John Grogan (Keighley) (Lab): On that point, it is worth mentioning Northern Ireland, which the Select Committee considered. There is a particular need for as much certainty as we can give regarding Northern Ireland, because I think 45% of all sheep produced there go south of the border. We made a specific recommendation on Northern Ireland, as any change in trade arrangements could be more disruptive there than anywhere else in the kingdom.

Neil Parish: I thank the hon. Gentleman for that intervention. He is also a very good member of the Committee. He raises a good point regarding the border between Northern Ireland and the Republic of Ireland. The lambs go south and the pigs go north to be processed—and the milk goes round and round in circles, as far as I am aware. A lot of processing goes on across the border. If anywhere in the whole of the United Kingdom is essential, it is that border, for obvious political reasons—reasons of peace and many others. We must get that border right. I am sure it is not lost on the Minister that we need to do more regarding that border.

The various systems we are putting in place are interesting. I am quite happy for the Government to look at having a new system. It does not have to be the single market and the customs union, but we have to ensure that the new system we devise is recognised by the EU, because the Republic of Ireland, obviously, is an EU member state. Those are the great challenges, and I am sure that that is not lost on the Government.

If tariffs were imposed, I believe that consumers would suffer. Tariffs would also make it more difficult for our farmers who produce food to our world-renowned high standards to compete and properly export, inhibiting the building of “Brand Britain”, which is going to be even more important in the future than it has in the past. We will be able strongly to market not only regional produce, but the British product. We have only to go back to horsegate, when horsemeat was being put into burgers because it was a lot cheaper, and look at the food cycle, the provenance of food and the food processing industry, to find that food travels all across Europe. Provenance, branding and the confidence that the world—and those in our own country—has in our products are going to be more important than ever.

As I said, the Government have struggled with their post-Brexit policies. I am hoping that we are seeing some clarity; we have had some interesting votes this week. I believe that will bring forward a clarity, so that we can move forward; the industry needs to have confidence to invest and to address the opportunities and challenges that Brexit will offer. We must go into this with our eyes open.

That is not all. We have dealt with the cross-border situation in Northern Ireland; investing in an IT system to support a more efficient export certification process could minimise delays, and we need to make sure, whether through the Agriculture and Horticulture Development Board, the Food Standards Agency or our veterinary services, that we have the necessary personnel to be able to get the licences up and running quickly, especially if we are going to have a change in the system as we cross the border. It is very important that we move quickly where we are talking about perishable products, which include not only agricultural products but fish.

It is possible to design a bespoke support system that encourages greater productivity and further strengthens our animal welfare standards, which are already among the highest in world. To do that, we need clarification from our Government. It is good to have very high welfare and environmental standards, but the quid pro quo is that the standards of imported products should maintain our high standards, through the free trade arrangement with Europe—which should not be difficult because our standards are currently the same—and free trade arrangements with other countries across the world. Otherwise we will put our producers and farmers out of business.

Our food and drink sector needs a reinforced trade deal. “Brand Britain” must become a national advertisement to the world, showing what an outward-looking, open nation we are. The new farming policy we call for in the Select Committee report is about creating a “Brand Britain” that delivers high-quality food that is affordable for all. British agriculture should be front and centre of all our negotiations, not left to feed from the crumbs under the table.

1.54 pm

Stephen Gethin (North East Fife) (SNP): I thank the Chairman of the Select Committee and its members for the work that they have put into the report over the past few weeks. The food and drink sector is enormously important across the UK. Mr Gray, I hope you will forgive me if I focus a little on the Scottish food and drink sector, which has grown enormously and very successfully over the past few years. It is a huge and very important employer, not least in rural communities, and the excellence of its products is increasingly recognised throughout Europe and elsewhere in the world.

The fishing sector in my own constituency is not quite what it once was, but it is still there, with fishermen working exceptionally hard producing fine produce that is then sent off around Europe from the quaysides in places such as Pittenweem. A large agricultural sector produces some of the finest food and drink, which makes its way to destinations throughout the UK and elsewhere in Europe.

There are other successful food and drink industries, including a growing number of whisky distilleries, which complement yet further the fantastic, vibrant food and drink sector in North East Fife. I recently visited a newly opened gin cottage, Darnley’s Gin, near Kingsbarns, which I would heartily recommend to people if they make it up as far as St Andrews. I recommend that the Select Committee visit it at some point, if it ever gets the opportunity. We cannot overstate how valuable such industries are and, as I have said, they are particularly important in rural communities.

The hon. Member for Tiverton and Honiton (Neil Parish) said something enormously important about clarity in the Government’s plans to leave the European Union. The Committee is right to seek greater clarity,
We know how important it is to sort out that border that, but there is nobody here from Northern Ireland. Roy of the Fraser of Allander Institute says that the—my part of the United Kingdom—but Professor Graeme has been less so.

these key issues? The Scottish Government have been kind of thing. Will the UK Government now publicly whom the Government employ to teach them about this pretty much the same figures, because they were drawn from those figures, so they are publicly available—we know there have been a huge number of concerns about that.

The National Farmers Union Scotland has called for the UK or for Scotland to remain part of the customs union for that very reason—the critical importance of the customs union to our food and drink sector, to our export markets and our partners elsewhere in Europe—but there are other important areas as well. Protected geographical status is exceptionally important to the food and drink sector. Perhaps the Minister will want to update us on where we are with that. It is not just with whisky: Arbroath smokies recently obtained that status and there are other such products as well, so it is an important point.

The food and drink sector is employing an increasing number of people. Newburgh in my constituency has the highly successful Lindores distillery, and farmers next door are looking for a little certainty as well. We know from the Scottish Government’s analysis that any plans to take us out of the European Union will hit our economy hard.

The Scottish Government analysis shows a loss of 8.5% of GDP, £12.7 billion, and by 2030, £2,300 per individual. That will hit industry, including the food and drink industry, because it relies on our relationship with the rest of Europe so heavily. Although those are figures from the Scottish Government—they have published those figures, so they are publicly available—we know that they reflect the UK Government’s figures. They are pretty much the same figures, because they were drawn together by a wide range of independent economists, whom the Government employ to teach them about this kind of thing. Will the UK Government now publicly publish their figures to inform a fuller debate about these key issues? The Scottish Government have been very open about this, but the UK Government have been less so.

I have mentioned the devastating figures for Scotland—my part of the United Kingdom—but Professor Graeme Roy of the Fraser of Allander Institute says that the food and drink sector in other parts of the UK will be even harder hit. Other hon. Members will reflect on that, but there is nobody here from Northern Ireland. We know how important it is to sort out that border problem, given the food and drink exports that go to and fro over the course of producing food and drink items. The World Trade Organisation rules would be the worst of all.

One issue that affects farmers now is seasonal workers. I hope the Minister will tell us how we can tackle that issue. Lord Duncan, the Parliamentary Under-Secretary of State for Scotland, was good enough to join me at a farm in my constituency recently. Mr and Mrs Mitchell, who run Allanhill farm, told him that they need clarity now, because their seasonal workers are down. The produce of that berry farm is for consumption across the UK and elsewhere in Europe, and they need to know whether to plant their next crop so they can harvest it next year. That is a very difficult decision if they do not have certainty about seasonal workers. This is not something we will be debating in the future; we are debating it in the here and now. Will the Minister reflect on the urgency of our food and drink producers’ situation?

That is echoed by James Orr, who farms around Blebo Craigs in my constituency. I am sorry to be talking about my own constituency, but those are the examples I know best. For example, I recently learned that there are only two places in Scotland where broccoli can be grown. One is in my constituency, because it is so sunny—yet another reason for the Select Committee to visit us. Broccoli has to be harvested by hand, and it is really important that it is not left to rot in the field. If seasonal workers are down, there is the distinct danger that that will happen.

On trade, the Scottish Government have done a lot of work on farmers markets and on promoting the food and drink industry, because agriculture is, of course, reserved to the Scottish Government. Will the Minister tell us how that will work in the future? The Secretary of State for Scotland is making a statement right now, but we have not had much in the way of certainty. The legislative consent motion for the European Union (Withdrawal) Bill, which will have a direct impact on this area, was refused by three quarters of parliamentarians in the Scottish Parliament—not just Scottish National party Members, but Labour, Liberal Democrats and Green Members, too.

Will the Minister tell us how we will take that forward? For instance, what will happen in the future if there is a dispute between the UK and Scottish Governments? I know the Minister will do everything he possibly can to avoid disputes, but such things will happen. If there is a dispute over the trade in food and drink, will Westminster simply override that decision, and therefore 20 years’-worth of devolved settlements?

What will happen if there are more trade disputes with, for example, the United States? Although the tariffs are being applied to steel, there is considerable concern that they will also affect the food and drink sector. The whisky industry, for example, has highlighted that. If we step outside the European Union, we step away from those closest to us in terms of our trade and our economy. They are closest to us politically and geographically, which is particularly important to the food and drink sector. What happens when the UK stands itself alone against the world? That is not a particularly comfortable place to leave our food and drink producers.
What happens to access to the critically important single market? Like the customs union, the single market and freedom of movement are hugely important to our food and drink sector. We have no clarity about those issues at present. I know the Minister will not be able to give us all the answers, but he needs to provide certainty. I thank Committee members again for their valuable work on this timely report. I hope the Minister’s response will reflect the urgency of the situation, as Committee members have done in their work.

2.5 pm

Dr David Drew (Stroud) (Lab/Co-op): I am delighted to serve under your chairmanship, Mr Gray. I am very pleased that, yet again, we are in this place debating food and farming. I am even more pleased that the Minister is here, because otherwise I would not have been able to ask him the questions I want to ask him. I am sure he will try to answer them.

The Chair of the Select Committee, the hon. Member for Tiverton and Honiton (Neil Parish), raised a number of issues that I wish to take up. I pay tribute to my hon. Friend the Member for Kingsley (John Grogan). They are very strong members of the Select Committee, as is my hon. Friend the Member for Ipswich (Sandy Martin), who has not had a chance to say anything yet, but if he wishes to intervene and put something on the record, I am more than happy to let him do so.

I am a former member of the Select Committee, and I am grateful that it is in good hands. I was lucky to be chaired by David Curry and Michael Jack, and the hon. Member for Tiverton and Honiton has carried on in the same good order. He has shown how the Committee is making a difference. The quality of its work is in the preciseness of its arguments. Why write a long report when a short one can do the job?

The hon. Gentleman’s speech ranged far and wide, so I make no apology that I will refer to the later report, which may also be discussed in this place in due course. It is, however, contingent on the report before us. I will refer to a number of things in the Government’s Command Paper, and how the Select Committee has investigated them.

Let me start with where we are with this whole exercise. Although farming is a relatively small part of the British jigsaw, it is a very important part of European functionality, because half the EU budget is spent on farming. My first question to the Minister—I have asked this previously—is, when will we get into serious negotiations about farming, and particularly food? Although farming is not a huge constituent part of the British economy, food and food exports are. As the hon. Member for Tiverton and Honiton said, that sector is responsible for about £110 billion-worth of business, and employs one in eight people. It is an important part of the UK economy, so we have got to get this right whatever the post-Brexit situation is.

I echo the hon. Gentleman’s request to see the sectorial reports. Like lots of hon. Members, I want to look at the original sectorial reports. I have to say that a good A-level student would probably feel reasonably pleased with them, but I do not think their quality was much better than that. We need definitive evidence, because these sectors are very different and will require different negotiations. It would be good to know when some of those negotiations will take place, and that there will be ministerial—not just civil service—input, because they will be complicated.

I am not sure—I know the Minister is sure and can allay my fears—when we will start talking to the WTO. We are a signatory to the WTO, but through our membership of the EU. At what stage will we start to talk to the WTO about how we will exercise our independence? The one thing that I know from all my time on the Select Committee, and since, is that when we start to get into the different boxes—amber, red, blue and green—and the aggregate measure of support, we get into enormous complexity, which will not be sorted out in a few weeks. That will take a long time.

Neil Parish: I thank the hon. Gentleman for giving way, and certainly for his comments about the Select Committee. When it comes to tariffs and the European relationship with agriculture, the problem with the WTO is that if we were under WTO rules rather than in a free trade arrangement with Europe, French and Irish beef would have to have the same tariff as Brazilian beef. Imagine having to compete with Brazilian and Argentinian beef—we produce very high-quality beef in this country, but it would be difficult to produce it at the same prices as Brazil and Argentina.

Dr Drew: Again, I am not an expert on the farming industry per se, as the hon. Gentleman is, but having talked to those who know about it, I know that the lamb market—Welsh lamb, in particular—is very vulnerable. I made the point that New Zealand would no doubt be keen to expand its exports to this country, but I was proven wrong in the sense that New Zealand can already export 200,000 tonnes of lamb. The big threat is actually from Australia, which has a more limited quota arrangement and will no doubt wish to have a free trade agreement—any agreement—so that it can export more to us. Again, that is a question I ask. I genuinely do not know where outside the EU—where 60% of our food exports go to—we can form all these free trade agreements.

Sandy Martin (Ipswich) (Lab): Does my hon. Friend agree that the problem is not only where our exports will go or where our imports will come from, but that the laudable environmental and health and safety constraints that we place on agriculture in this country will not necessarily be replicated in countries in other parts of the world that may wish to export to us? We shall see a race to the bottom on environmental and health and safety concerns.

Dr Drew: That is, of course, a real threat. I refer to the Government’s response to the Committee’s report. At paragraph 6, on “Regulations and Standards”, the Government cited the Prime Minister in her Mansion House speech, saying that the UK will need to make a strong commitment that its regulatory standards will remain as high as the EU’s.

I should damn well hope so—excuse the proverbial—because if we do not, we will not be able to export to the EU. It is important to maintain the existing standards, and we would want to drive them up—the Minister has
said that—but that will be in some jeopardy if we form free trade agreements with countries with lower standards, because those would preclude the higher-standard export markets that we have now.

Looking ahead to the Select Committee’s “The future for food” report—to laud the Committee again—its value is that it has all the right headings. The keynote is uncertainty: we need to allay the element of doubt that is creeping into what is now a tight timescale. Looking at the report, the questions will obviously be about budget—I am pressing the Labour party to ensure sufficient funding. We have already guaranteed the same money until 2022, but to be honest with the Minister, we want to go further, because we do not think that the transitional period is long enough. That has come through in both reports.

There is not enough money to make the transition work. Whatever form of payment system we come up with, it will be a pretty traumatic change. For some farmers, it will be the most traumatic change they have ever had in their lives. We would therefore like more money to be allocated and for things to be done properly. We are not against public using moneys for public goods, but we have to handle the situation with extreme sensitivity. Otherwise, we will lose a lot of good farmers who cannot make the transition easily.

To go back to today’s report, I have some questions arising from the Government response. How will they deal not only with tariffs, but with non-tariff issues? In my constituency, some of the manufacturing companies say that the problem is never with free trade, or setting up free trade agreements, because they are set up all the time. The problem is when other parts of the world take non-tariff action, which is a real danger in the food sector. It would be good to know how far the Government have got and in what ways they are at least investigating how to deal with the threat of non-tariff barriers.

On the potential for increased paperwork, the Government are setting great store by a new computer system—as did my Government, to our cost, when we introduced the Rural Payments Agency, and I dealt with Accenture at that time. We were told then how the system—as did my Government, to our cost, when we introduced the Rural Payments Agency, and I dealt with Accenture at that time. We were told then how wonderful because the computer would do it all for us. It would be good to know how far we have got with the new computer system and what it will do—there is the idea of “e-certs”, but whatever name it has, it is just a computer system. If we do not have the right brief to start with, we will not get the right outcomes. Therefore, how far have the Government got towards introducing that computer system in such a way as to cope with all the different pressures, whether of trade or of the standards and so on?

There is also the human dimension. The spokesperson for the Scottish National party, the hon. Member for North East Fife (Stephen Gethins)—to whom I should have paid due regard earlier, but I do so now—spoke about the need for seasonal workers. Another element, which was picked up on by the Select Committee, is the additional need for veterinary support. At the very least, we do not have enough vets in this country to do the work that is needed, which is why we recruit foreign vets.

That work will only increase, despite restrictions on immigration and on what is called mutual recognition of professional qualifications—a very good thing that ensures we get in people with equivalent qualifications to ours. Dealing with that takes time. We will need additional vets in the short run to deal with some of the very early processes. Again, will the Government give us an update on their important discussions with the Royal College of Veterinary Surgeons, the British Veterinary Association and so on?

That leads on to the issue of customs and how those arrangements are being looked at. I must say that some of the Government’s answers are fairly sketchy. The response is a fairly brief piece of work—I laud the Select Committee again because although its work was brief, it was precise, but the Government did not necessarily tell us everything. Perhaps the Minister will fill in some of the detail, such as how much store is set by the IT system, how he will deal with border inspection post capacity and what is happening with some of the trade agreements with non-EU countries. All that will require a very different approach. I hope that we will not have a hard Brexit, but even under a soft Brexit those will be very complicated issues that are difficult to work through in the short term.

Another issue is country-of-origin labelling, which Members across the House would all support. Customers need assurance to know where something has come from and whether it is of the standard that they expect. Again, the Government have made lots of commitments, but it would be good to know how they will deliver on those commitments—what they said in paragraph 13 of their response was very good in aspiration, but not detailed in how they would action it.

In conclusion, there are many points of detail. That matters, because we should be entering a period of discussion where agriculture, hopefully, will be in the footlights. That is rare, because normally agriculture is somewhat in the shadows, but it is crucial at this stage because of what happens to our food chain. We must make sure we get this right to support the industry and the people who work in it. That may not be easy in the short run, but we must be clear where the strategy is taking us.

If there is any regulatory divergence from the EU, those of us who fear that things could get worse in the short run need the Government to be clear on what they are trying to do. What mechanisms will they employ and who will employ them? The Department for Environment, Food and Rural Affairs has taken on a huge number of new people—perhaps it should not have got rid of as many as it did when it was not at the frontline of these changes. It would be good to know how those people could be as effective as they should be, in a short period. Their knowledge alongside the ministerial team will be crucial. I sympathise with Ministers; I know how much pressure they are under, because this issue puts the Opposition under a lot of pressure due to the number of ways in which we have to respond.

I hope the Government have got the message that they need to be very clear on how they are moving forward. Otherwise, we will be back here week after week with debates, trying to ascertain what the detailed considerations really mean and how we will take British agriculture and the British food chain forward into the next decade, whatever our status with the EU. More particularly, they must make sure that British food is of as good a standard as it can and should be, and that it can be traded successfully with the rest of the world.
2.21 pm

The Minister for Agriculture, Fisheries and Food (George Eustice): It is a pleasure to serve under your chairmanship, Mr Gray. I apologise again for being late to the debate, for the reasons I described earlier.

I thank the Chair of the Committee, my hon. Friend the Member for Tiverton and Honiton (Neil Parish), for introducing the debate. This is an incredibly important issue that matters to all sectors of the economy and to food and farming. I want to set out, for the record, the Government’s approach to our future trading relationship with the European Union, because that is important. Much of the report looked at the consequences of a possible no-deal Brexit, for reasons I can understand and that I will deal with, but it is important to recognise the UK’s position.

We are seeking a bold and comprehensive free trade agreement with the European Union. We want tariff-free access for all sectors, which would be reciprocated, and we seek a frictionless border. We believe that the growth of technology in the last 20 to 30 years means that we do not have to have as much friction at the border as some would claim. Indeed, we have looked at the procedures used prior to 1993, when the single market was introduced—an important point that many people forget. We had frictionless borders not when we joined the European Union, but after 1993. Technology has assisted a lot with the frictionless borders that we enjoy today in the European Union—that is not just about the regulations of the single market.

Neil Parish: I agree with the Minister entirely; it would be great if we could get the frictionless trade deal and frictionless borders. Is he convinced that when we have the technology—I think we have it—it will work? I must be quite blunt about the Rural Payments Agency, Natural England and others. I know he will defend them to the hilt, but I said yesterday that they are not fit for purpose. If they were in the private sector, they probably would be dead by now, because they do not handle things properly—every time, we get more and more problems. The key thing is whether we can get this to work and whether we can get Europe to agree to it. Ultimately, let us get those lorries across the border and back again. We all want that. That is the reassurance we are all looking for.

George Eustice: I agree with my hon. Friend. I was going to come on to why it is in everyone’s interest to do the type of agreement that we are offering. We do not believe that we have to have total uniformity of regulations on these various issues to have a frictionless border. It is quite possible to recognise what in trade jargon is called equivalence.

Our offer to the European Union is that bold and comprehensive free trade agreement, tariff-free trade and frictionless borders, where the European Union and the UK can both adopt a risk-based approach to any border checks they might put in place, assisted by technology. We want to give each other confidence by agreeing a set of arrangements through which we will recognise the equivalency of our various regulations. That can be done. Our starting point is not as a third country trying to establish a trade deal with the European Union, but as a member state that is stepping back from being a European Union member. On day one, we start with absolute uniformity of our regulations. That is unique in the world, which is why it is absolutely possible to do the type of agreement on borders that we seek.

The other point to recognise is that the European Union has a trade surplus with the UK in food and drink alone of £18 billion each year. It may feign indifference to its trade with the UK for the purpose of the negotiations that are going on, but that matters. Access to the UK market matters to Irish beef farmers, poultry producers in the Netherlands, pork producers in Denmark, horticultural producers in the Netherlands and cheese producers in France. They need access to the UK market. Therefore, it is in their interest to take up what we are offering, which is a comprehensive free trade agreement with frictionless borders.

Stephen Gethins: Will the Minister tackle the issue of how the customs relationship will work? Can he set that out? How will seasonal workers work? That is a matter of urgency; other Members also have made it clear that it is a matter of urgency.

George Eustice: I noted the hon. Gentleman’s points from his speech and will come back to them.

First, I want to address one of the questions posed by the report: what happens in a no-deal scenario? The reality is that there are quite a number of options open to an independent country in control of its own trade policy. It does not have to be most favoured nation rules, and that is the end of the story. One option for an independent country when setting its own trade policy would be to have unilateral tariff rate suspensions—it would keep the bound tariffs where they were, but it could suspend them on certain product lines if it wanted to. It also could have what is called an applied tariff for some product lines that was lower than the bound tariff set in the WTO schedule.

An independent country could also establish unilaterally something called autonomous tariff rate quotas—ATQs. They enable the country to create a quota in certain product lines to allow that tariff-free trade.

My hon. Friend the Member for Tiverton and Honiton pointed out that one of the issues is that those have to be what is described in trade jargon as erga omnes—open to all—around the world and not just to the European Union, but we could, of course, abide by our own sanitary and phytosanitary regulations. In a short period where such measures might prevail, our existing trading partners would find it easier to satisfy those and potential new ones. There are many tools in the box that we would have as an independent country controlling our own trade policy.

My hon. Friend also asked about a sector-by-sector analysis. He will be aware that in December last year, the Department for Exiting the European Union published analyses for each sector. The hon. Member for Stroud (Dr Drew) read that and was very complimentary about the detail in it. There was a specific report in there on the food and drink sector—my hon. Friend will be aware that, in addition to that, the Government have done a great deal of more detailed ongoing analysis and modelling—but for reasons that we have been clear about, and that I think Parliament understands, there are certain things in a negotiation that we should not
put out there. Not everything that we have done has been published, but we have published that report sector by sector.

Neil Parish: I thank the Minister for giving way again. This is important and we have plenty of time, hence I will take up a bit more. When you say “sector by sector”, are you talking about the food and drink—

James Gray (in the Chair): Order. I am not talking about anything—the Minister is.

Neil Parish: When the Minister says “sector by sector”, is he referring to the food and drink sector? Our report naturally referred to the individual sectors of agriculture—dairy, sheep, beef and so on. This issue is linked not only to trade, but to the support policies that will be needed. An extensive beef and sheep farmer perhaps needs the basic farm payment much more than a dairy farmer due to the overall income from that business. That is what we are particularly interested in.

George Eustice: Yes, I understand, and I was going to come on to that. Although, of course, we have done other, more detailed work, not all of which has been published, I think I pointed out in evidence to the Committee that in March 2016 the National Farmers Union commissioned a detailed piece of work by a Dutch university, which looked at precisely that issue—what would happen under a most favoured nation trading scenario for a range of sectors. I probably cannot go much further, except to say that I recommend that research to anyone with an interest in this area because its analysis was broadly correct. In summary, it showed that some sectors are indeed more exposed than others to our trade with the European Union.

Notably, as the shadow Minister pointed out, the sheep sector is quite dependent on our trade with the European Union. The analysis commissioned by the NFU bore that out. It also identified that there might be some impact on barley producers that export for the lager industry in Europe in a most favoured nation scenario. However, broadly speaking, for most producers in every other sector there would actually be a slight firming in farm-gate prices, because most sectors would have less import competition. It is hard to predict exactly what would happen in a no-deal scenario, but in a scenario in which it was slightly harder to export lamb to Europe and harder to import beef from Ireland, some mixed beef and sheep enterprises likely would diversify a little more into beef to substitute for Irish imports and put a little less into sheep, particularly if they were exposed to the export market in countries such as France, Greece and Belgium.

There would obviously be changes under such a scenario, but it is worth reflecting on debates in the House in the late 1950s on whether we should join the European Union or remain a member of the European Free Trade Association. I am afraid that, given the nature of the debates we are having now, I revisited some of those debates to understand how we got into this pickle in the first place. It is telling that in the late 1950s and early 1960s there was cross-party agreement that joining the European Union would be bad for agriculture. One reason we did not join early was that it was recognised that that would be negative for agriculture. It is interesting that the NFU analysis largely bears that out to this day.

Neil Parish: Just to be facetious, Minister, does that mean you are going to re-establish deficiency payments? Do not forget that deficiency payments were coupled with that.

James Gray (in the Chair): Order. Two points. First, interventions must be quite short. Secondly, I am sorry to pull the hon. Gentleman up again, but it is an absolute rule in this place that hon. Members must refer to one another as “the hon. Member”, “him”, “the Minister”, “she” and so on. Hon. Members may not refer to the Minister as “you”, because whenever you use the word “you”, you are referring to me. Please make an absolute habit of using only the third person.

George Eustice: I am interested in history, but I am not necessarily interested in implementing all historical policies. To extend the history lesson, there was also a view in the 1960s that we should not have subsidies but we should have tariffs. Obviously, we have moved some way since then.

Dr Drew: I always love a bit of history, but to bring us up to date, in all those previous reorganisations and structural changes, there was time to make changes partly because the British Government were deciding things for British farmers. Will the Minister assure us that the transition period must respect the importance of these changes, and that there must be support for those who will suffer if we get this wrong in the short run?

George Eustice: Yes. I was going to return to that point. The Select Committee report states that we have to take care during the transition. We absolutely recognise that. Indeed, in our recent consultation, we described what we have as an agricultural transition, where any changes we make to the support regime will be done gradually over a number of years to take account of the fact that we do not want to deliver unsustainable shocks to the industry that it would not be able to cope with.

My hon. Friend the Member for Tiverton and Honiton mentioned the importance of Northern Ireland. I absolutely understand that a huge amount of trade takes place across that land border. That is why, unsurprisingly, the way we should approach that issue dominates much of the discussion about our future arrangements with the European Union. He will understand that that is a much broader discussion, which is being handled by people in the Government more senior than me.

Let me pick up on some of the issues raised by the hon. Member for North East Fife (Stephen Gethins), such as customs, which is being looked at. We have a cross-Government working group, which has brought on board lots of Departments, including Her Majesty’s Revenue and Customs and the Treasury, to look at customs, as well as DEFRA and our Animal and Plant Health Agency to look at border inspection posts. DEFRA’s focus is ensuring that we have the right capacity at any border inspection posts, and we will seek to agree our approach to that. Generally speaking, customs is regarded
as an easier and more administrative thing to do, rather than necessarily requiring lots of checks and infrastructure at borders. Technology really has moved on in that area.

I simply make the point that one of our biggest successes in food and drink—perhaps the biggest, and certainly the biggest in Scotland—is Scotch whisky. We have zero tariffs on Scotch whisky, but that sector competes globally and has a recognised international brand. It is also very used to dealing with national markets, even within the European Union, because there are different alcohol duty rates so there must be bonded supplies for each country. There are sectors that have got very good at managing borders. Several hon. Members made the point in yesterday’s debate that we have borders even within the single market for things such as customs duties.

Probably the second biggest food export from Scotland is Scottish salmon, which again is renowned around the world. Scotland’s biggest competitor in that sector is Norway, which is outside the European Union and outside the single market for the purposes of fish products, because, as the hon. Gentleman will know, the European economic area does not cover fisheries products. So there are sectors, including fisheries and Scotch whisky, that have developed quite sophisticated ways to address some of these challenges. This is not an insurmountable problem.

The hon. Gentleman also raised seasonal labour. We recognise that that issue is important, which is why the Home Office commissioned the Migration Advisory Committee to look at what our labour needs will be after we leave the European Union. The MAC is already doing that piece of work. It published an initial summary of the responses it received, and it is now looking in earnest at what arrangements we will need after we leave, and in particular after the end of any transition period.

However, in some ways we already have the necessary structures in place under our existing migration system, through things such as tier 3. That is currently set at zero because we have free movement of people, but we could make some allowance for work permits in less skilled sectors if we wanted to and deemed that we needed to. We have been clear that we are looking at the idea of a seasonal agricultural workers scheme. We had one, which ran successfully from 1945 until 2013, and we have been clear that we are looking at that issue. I worked in the soft fruit industry for 10 years, so I am fully aware of some of the challenges. Those are issues that we will have the power to deal with as an independent country—they will not need to be negotiated with others.

Stephen Gethins: I am astonished by the Minister’s use of the phrase “an independent country” given that Ireland, Greece and Denmark all consider themselves independent countries. On customs and seasonal workers, he referred to infrastructure. I mentioned urgency, so what is the timescale for that infrastructure? We have heard from a wide range of experts—we still believe experts—that the end of 2021, or even the end of 2020 when the transition period ends, is not realistic. Have they got that wrong?

George Eustice: Look, on your first point—sorry, Mr Gray, it is a contagious problem. On the hon. Gentleman’s first point, there are degrees of independence. As things stand, as an EU member we do not have an independent farming policy, an independent fisheries policy or an independent policy on migration. When we leave and become not an EU member, we will have independence in those areas.

On the hon. Gentleman’s second point, there will be some challenges, but we have been working on this area. One scenario we have been planning for right from the referendum result is a no-deal scenario where we come out without an agreement, even in March next year. There are contingency plans and work has been done to prepare for such scenarios. While there will be challenges, we are aware of them and have been addressing them.

Dr Drew: The problem is that those who might have come here in the future will not do so and we are now into the second year in which they would have been making such arrangements. What inducement is there for someone to come here, when effectively they have been told for two successive years they are not wanted, rather than go to other parts of Europe, as they are now?

George Eustice: There are anecdotal reports that more have come back this year because of recent changes in the exchange rate. Some daffodil producers in the west country say that it was easier to get labour this winter than last. It is quite common for seasonal agricultural workers to return for a number of years, and indeed levels of returning are one of the yardsticks used to assess the availability of labour.

The hon. Member for Bristol East (Kerry McCarthy) posed a question in an intervention about rules of origin. The Government are looking at that area. Obviously, not every nation state in the world is a member of the European Union. Lots of countries are not, and they have quite established procedures on rules of origin. While we have not reached a final position on those issues, there is, for instance, the pan-Euro-Mediterranean regional convention, which is a rules of origin system covering countries both in and not in the European Union. Other parts of the world have therefore addressed such issues.

I turn to points raised by the shadow Minister, who asked about how we are approaching the WTO. We have been clear that our schedule of tariff rate quotas on agricultural products should be divided between the EU and the UK based on an historical reference period. We regard that as a matter of technical rectification rather than reopening everything for renegotiation, and that is the approach we are taking on existing TRQs.

The hon. Gentleman mentioned New Zealand lamb and pointed out that we have a TRQ of just short of 250,000 tonnes for lamb from New Zealand coming into the UK. It is also important to recognise that, in recent years, New Zealand has only ever used about 70% of its quota. That demonstrates that long before the ceiling of that tariff rate quota is hit, they find themselves unable to compete with UK producers. I am more optimistic than some about British sheep producers’ ability to compete with New Zealand and Australia. Many do so already. As a country, we should not get spooked by some kind of New Zealand haka on lamb production. We need to get on the pitch and play, and I think we will find that we can beat them.
We have been clear that in any future trade agreements we will maintain our standards. We will not reduce our standards in pursuit of a trade deal. That is a common feature. It is quite possible for us, through doing trade deals with third countries, to require that those who wish to supply us under such agreements must meet our standards.

Just this morning, I visited the Agriculture and Horticulture Development Board and talked to officials who were involved in our negotiations with the United States on reopening its market for British beef, which we have worked on for a number of years. There are opportunities for British beef exports to the United States, but there are also one or two technical areas where the United States wants us to change our rules for those supplying them to meet their standards. For instance, they have a slightly different approach to monitoring things such as E. coli and to the methodology that a vet should use when visually inspecting animals as they arrive in the pen.

We could go in and say, “This is no good. You’ve got to change your rules to be like the British rules,” but we do not. Actually, we say, “Fair enough. Those suppliers who want to supply that market should do that. We should respect their rules, and they should respect ours.” Equally, if US producers want to supply the British market, it is absolutely open to us to say that that must be done on British standards. We are a free-trading market, it is absolutely open to us to say that that must be done on British standards. We are a free-trading country, and we will be open to doing trade deals, but we are clear that we have standards and values that we will not abandon.

Neil Parish: We have very high standards in this country. We also use less and less antibiotics in producing meat. The Americans still use a lot more antibiotics, their environmental standards are lower and often their welfare standards are lower. On the antibiotic side in particular, we must be clear in negotiations that we do not reduce our standards and allow in products that have had many more antibiotics.

George Eustice: My hon. Friend makes an important point. In a trade negotiation we are talking about food standards, not just food safety. Some people misleadingly try to divert the debate, but it is about food standards, and issues such as animal welfare and the approach taken to farm husbandry are integral to those standards. We should not be shy about saying so.

A number of hon. Members mentioned IT systems. We—in the European Union—currently use the trade control and expert system, but we are doing a detailed piece of work to build a replacement system, should that be needed, and that work is well advanced. My hon. Friend asks in his Committee’s report for the Government to set out clarity about the future of the agriculture Bill. I am aware that this week the Secretary of State appeared before my hon. Friend’s Committee, where he was given that reassurance. The report also raised the potential impacts of tariffs on food prices. Again, as with the sectoral impacts, the Government are looking at this area, but we are not in a position to publish details. However, I recommend those hon. Members interested to look at work done by, for instance, the Resolution Foundation, which identified the fact that the impact on domestic food prices would be quite marginal, even under a most favoured nation scenario.

We have had a comprehensive debate covering a wide range of issues. I welcome the Committee’s interest and it bringing its report to the House for debate.

James Gray (in the Chair): The question is, That this House has considered the Third Report of the Environment, Food and Rural Affairs Committee, Brexit: Trade in Food, HC 348, and the Government response—

Neil Parish rose—

James Gray (in the Chair): I beg your pardon. Mr Parish can indeed conclude if he wishes. That is quite right.

2.48 pm

Neil Parish: Thank you, Mr Gray; I wanted to ensure that we kept to correct parliamentary procedure, having been corrected a number of times this afternoon. I will do my best not to refer to hon. Members as “you” in future.

I thank the Minister for his summing-up speech. He mentioned the good work done by the NFU through a Dutch university on sector-by-sector analysis, which I welcome, but I do not think that takes the place of a proper sector-by-sector analysis by DEFRA, which still needs to be done. I make that point very strongly.

I also thank the Minister because I know the work he does to understand the trade deals and to get a good deal in the future for this country; he cares very much about that, which I respect. In particular, the deal we do on the border between Northern Ireland and the Republic will be important not only for Northern Ireland and our own country, but for the Republic of Ireland. I had an Irish grandmother from Dublin, which may account for many things. I find it fascinating that, after nearly 100 years of independence from the United Kingdom and of being its own country, the majority of the Republic’s trade is still with the United Kingdom. Not only is it important for us that we get it right, but it is important for the Republic of Ireland. I hope the EU, on the other side of the argument, also understands how important that is.

I like the Minister’s idea of a bespoke, risk-based arrangement. The idea that we will be able to open up and inspect every lorry will never actually happen, but we need to have a system where we are able to do that if we need to. What matters is the speed at which we can get through those borders, and keeping the trade that is so important. We have talked about trying to ensure that, as we do a future deal, there are no tariffs, because that will not be good for any sector, and especially not the farming sector, in the long run.

The shadow Minister referred to the fact that we must watch for interference with trade, not through tariffs but through other means. I remember that in my previous existence, when I was elected to the European Parliament in 1999, we were trying to get British beef back into France after bovine spongiform encephalopathy. Even under single market regulations and all the regulations that were in place, the French were masters at finding reasons why that beef should not go into their country.

Although I am very happy to trade with France and the rest of the European Union as we leave, we have to be conscious that those countries could find ways of disrupting trade. They still do it within the European Union.
Union now; they usually stop just before the Commission throws the rulebook at them. They are very clever at looking after their own trade, and we need to be equally clever to ensure that our trade goes into France and that, when we reciprocate those trade arrangements, they also honour their arrangements as we move forward.

Again, I thank the Minister, who has come to our Committee and had some very good and open exchanges. In the end, whether we voted to remain in the European Union or to go out, I believe now that a Brexit deal must be done. The people have decided, and we must make that work. Nowhere is that more important than in the farming and food sector, because it has been part of a common agricultural policy and trade policy for 40 years. We have great opportunities, but we must get this right—not only for food and farming, but for good food to be had by all in this country at affordable prices.

Question put and agreed to.

Resolved,

That this House has considered the Third Report of the Environment, Food and Rural Affairs Committee, Brexit: Trade in Food, HC 348, and the Government response, HC1021.

2.53 pm

Sitting suspended.

BACKBENCH BUSINESS

Immigration Detention (Victims of Torture)

[MR VIRENDRA SHARMA in the Chair]

3 pm

Joan Ryan (Enfield North) (Lab): I beg to move, That this House has considered immigration detention of victims of torture and other vulnerable people.

It is a pleasure to serve under your chairmanship, Mr Sharma. I thank the Backbench Business Committee for granting the debate and hon. Members from all parts of the House who supported the application.

I also thank the 131 Members who signed my early-day motion on immigration detention last December. It is the eighth most supported EDM in the current Session, which I think signifies the amount of concern on this matter. I am also grateful to the 118 and 114 Members respectively who supported my other two EDMs that prayed against the Government’s delegated legislation on these matters. Those were debated in a Delegated Legislation Committee last week, at which some hon. Members here were present.

I will return to the substance of those statutory instruments later. That the Home Affairs Committee and the Joint Committee on Human Rights are also currently investigating issues relating to immigration detention indicates the scale of concern across the House regarding current Government policy.

Paul Blomfield (Sheffield Central) (Lab): I congratulate my right hon. Friend on securing the debate. I know she is aware of it, but I draw other colleagues’ attention to the joint inquiry of the all-party parliamentary groups on migration and on refugees, which involved a number of Members from both sides of the House, including a former Conservative Cabinet Minister. Our recommendations were adopted by the House, albeit without a vote.

We recognised through our inquiry the impact of immigration detention on some of the most vulnerable people, hearing evidence of those who had been through trauma having that trauma multiplied through the experience of detention. We concluded that, as well as a different approach to vulnerable people, there should be a statutory time limit on indefinite detention. Will she join me in hoping that, when the Government look at immigration in the pending White Paper and the immigration Bill, they will also consider the whole impact of immigration detention?

Joan Ryan: I know that those APPGs do valuable work. After seeing examples of the harm caused to vulnerable adults by immigration detention—I am sure we will hear more today—I hope the Government will pay more serious attention to this than their legislation from past years demonstrates, particularly since the introduction of the adults at risk policy in 2016.

Kate Green (Stretford and Urmston) (Lab): I congratulate my right hon. Friend on securing the debate. I draw the House’s attention to my entry in the Register of Members’ Financial Interests relating to the support I receive for
my work on asylum and immigration. Does she agree that, for those who have already suffered torture and persecution in their home countries and who flee here for security, to have that pain compounded in detention, with abuses against them carried out by those who detain them, is the ultimate outrage and something of which we should be deeply ashamed?

Joan Ryan: Absolutely. I will later ask the Government whether they are not ashamed of the harm caused in their name and which it is within their gift to change—not only is it within their gift, it is under the instruction of the High Court.

The debate provides an important opportunity to scrutinise these matters and to call on the Government to honour their promises to improve the protections for identifying and securing the release of vulnerable adults at risk in immigration detention. The debate also enables us to refer to there being no time limit for immigration detention, unlike in nearly all other European Union countries. That adds to the lack of protection, to the suffering and to the likelihood that the serious mental health harm being inflicted will increase suicide attempts.

The debate is particularly pertinent because the new Home Secretary has pledged to review the Home Office’s hostile environment policy—admittedly because of the Windrush scandal. The 70th anniversary of the arrivals on the Windrush is currently being debated in the main Chamber. I am sure that, as they arrived, they did not expect what has happened recently. The example of what has happened to the Windrush generation should be a warning to the Government that we do not raise these issues to make party political gains; we raise them reminding that they need to address, given what has happened with the Windrush scandal.

The treatment of vulnerable people in our country’s immigration detention system should be an important part of the Home Secretary’s review. It is the considered judgment of esteemed organisations, such as Freedom from Torture, Medical Justice, the Helen Bamber Foundation and Bail for Immigration Detainees, that the current safeguards and the Government’s proposed changes to the law have failed to provide, and will fail to deliver, adequate protection to vulnerable people. That view is held across the board.

Paul Blomfield: My right hon. Friend mentioned a number of organisations. Has she also seen this week’s report from the British Red Cross, which specifically and very helpfully proposed that the Government adopt a vulnerability screening tool, to provide more effective screening of individuals prior to the decision to detain?

Joan Ryan: I absolutely agree. As I am sure the Minister will mention, because it came up in the Delegated Legislation Committee just a few days ago, the Government consider they have done that. However, given caseworkers’ comments on the training, it is evident that that screening is precisely the problem in many ways. It is not clear to caseworkers how to identify those who are vulnerable or powerless. Those terms are too vague, and the catch-all simply says that the list of identifiers is not exhaustive, which in itself is not good enough.

Kate Green: I am sorry to intervene on my right hon. Friend again. Does she agree that one deficiency of the current arrangements for identifying vulnerable individuals is that, at that very first stage, Home Office staff rely on Home Office information and do not obtain other objective evidence, which might support their making a better decision?

Joan Ryan: Absolutely. All the evidence tells us that there are major problems with the screening, and all the expert organisations that have commented on this situation, including the Red Cross, tell us that the Government’s changes will not provide the protection that should be provided.

Long-standing Home Office policy has required that vulnerable people, including those with independent evidence of torture, should not be detained unless in exceptional circumstances, but in practice many are. We know from extensive medical evidence that immigration detention can seriously harm the mental health of detainees, particularly those who have previously suffered from ill treatment, and the conditions of immigration detention can be appalling. In a series of findings between 2012 and 2015, the High Court said that the Government’s immigration detention system amounted to “inhuman and degrading treatment”.

In 2015, undercover reports by Channel 4 News inside Yarl’s Wood and Harmondsworth immigration removal centres revealed abuse of detainees and references to medical mistreatment. When the then Home Secretary, now the Prime Minister, commissioned the former prisoner and probation ombudsman Stephen Shaw to conduct a review into the welfare of vulnerable persons in detention, his damning report, published in January 2016, found that safeguards for vulnerable people were inadequate and that detention was used too often and for too long.

The Government responded by drafting and implementing their adults at risk policy, which incorporates the detention centre rules and the guidance on detention of vulnerable persons. However, that flagship policy, which is intended to safeguard vulnerable adults by routing them away from or out of detention, is not working—far from increasing protection for vulnerable detainees, it has increased the risk of harm.

In its initial 10 weeks of implementation, the adults at risk policy was applied incorrectly in almost 60% of 340 cases. From January to September 2017, Freedom From Torture’s medico-legal report service received 101 referrals for suspected torture survivors in immigration detention, and 14 of its treatment clients were detained between January 2016 and November 2017. Torture survivors continue to be detained.

The guidance on the detention of vulnerable persons raised the threshold for a decision not to detain by increasing the evidentiary burden on the vulnerable individual. As a result, the release rate following a rule 35 report—designed to screen torture victims out of detention—has fallen dramatically. In quarter 3 of 2016, before the policy was introduced, 39% of those with a rule 35 report were released. In quarter 1 of 2018, that number had fallen to 12.5%.

I urge the Minister to publish more detailed information and data on the functioning of the adults at risk evidence levels and the rule 35 process. Since the adults at risk policy was introduced, how many people have been
It concluded: “greater numbers than we have seen at previous inspections.”

“professional evidence of torture, rape and trafficking, and in Year’s Wood, published in November 2017, Her Majesty’s

by detainees. In its most recent inspection report on widespread instances of self-harm and attempted suicides

removal centre and exposed a culture of abuse and investigated conditions in Brook House immigration

population, or almost one in 10.

year. That constitutes approximately 8% of the detained

self-inflicted deaths in immigration removal centres compared particularly self-inflicted deaths: in 2017 there were at least five detained. Her Majesty’s Inspectorate of Prisons has noted that there has been a significant increase in deaths in detention, particularly self-inflicted deaths: in 2017 there were at least five self-inflicted deaths in immigration removal centres compared with only three in the previous five years.”

There were 2,272 people on formal self-harm watch last year. That constitutes approximately 8% of the detained population, or almost one in 10.

Last September, the BBC’s “Panorama” programme investigated conditions in Brook House immigration removal centre and exposed a culture of abuse and widespread instances of self-harm and attempted suicides by detainees. In its most recent inspection report on Yarl’s Wood, published in November 2017, Her Majesty’s Inspectorate of Prisons found that vulnerable women were still being detained, despite “professional evidence of torture, rape and trafficking, and in greater numbers than we have seen at previous inspections.”

It concluded:

“The effectiveness of the adults at risk policy...was questionable”. I would go further: this catalogue of failings shows that the Government’s policy is not fit for purpose.

Let us remember that, despite all the evidence, the Government are not changing their policy. We did not see that in the delegated legislation a few days ago. They are not making changes because they have listened or seen the evidence for themselves; they are doing so because they were pulled into the High Court and told that they must make changes.

The analysis that the policy is not fit for purpose was borne out by the ruling of the High Court last year in a case brought against the Home Office by Medical Justice and seven detainees. It found that the Government’s policy undermined hundreds of victims of torture. That was due to the Home Office’s deeply regrettable decision to narrow the definition of torture so that it refers only to violence carried out by state actors, and excludes vulnerable survivors of non-state abuse. We discussed that in the Delegated Legislation Committee, and I made the point then that the definition excludes anybody tortured—I am sure we can all come up with our own groups—by Hezbollah, ISIS, Daesh, Hamas or whoever. It excludes all those people and encourages states to outsource torture to their proxy groups. I cannot believe the Government are not aware of that.

We need a change. During the Delegated Legislation Committee last week, it was galling to hear the Minister say:

“The adults at risk policy represents a proportionate and rational way of carefully balancing the vulnerability considerations against immigration considerations.”—[Official Report, Third Delegated Legislation Committee, 6 June 2018: c. 12.]

Will the Minister clarify how the policy is proportionate and rational when, according to Medical Justice, it has “fundamentally weakened protections for vulnerable detainees, leading to more rather than fewer being detained, for longer”?

How is it proportionate and rational to propose amending the detention centre rules and guidance as set out in the Immigration (Guidance on Detention of Vulnerable Persons) Regulations 2018 and the Detention Centre (Amendment) Rules 2018, when Medical Justice, which brought the successful litigation against the Home Office, said that the changes will not deliver inclusive, protective and effective detention safeguards for vulnerable people? Medical Justice brought the litigation and the High Court agrees with it. The Government now propose changes, but again Medical Justice says that they will not deliver the required outcome. It beggars belief that the Minister and the Government are not listening.

I did not get a satisfactory response to the question from the Minister in the Committee last week. However, I received a letter from her yesterday—finally responding to a letter that I wrote to her at the end of March, expressing my concerns about immigration detention matters. Given that I wrote my letter two and half months ago, it would have been useful to have the Minister’s response prior to the Delegated Legislation Committee last week. The time lag is unacceptable. In her response, the Minister claimed again that “the policy we have in place, which will be enhanced by the amendments we lay before Parliament, is rational, sensible and balanced, and provides vulnerable people with proportionate levels of protection.”

What does “proportionate levels of protection” mean? Proportionate to what? That feels like a huge step back from the Government’s commitments in the adults at risk policy. Certainly, it is not what Stephen Shaw had in mind. Drawing on medical evidence, Shaw said in his report’s conclusions that “detention in and of itself undermines welfare and contributes to vulnerability. I need hardly say that a policy resulting in such outcomes will only be ethical if everything is done to mitigate the impact”.

We should be seeking maximum levels of protection for vulnerable people—not proportionate levels. Can the Minister please clarify today what she means by “proportionate levels” of protection?

The Minister also said in her letter that her “officials have engaged with a range of NGOs and inspectorates in producing and developing the Statutory Instruments.”
I do not know what criteria the Minister uses to judge adequate levels of engagement with outside organisations, but I know that the NGOs are not happy with the way the Minister and the Home Office have conducted the so-called consultation. Freedom from Torture, Medical Justice and others have said that the Home Office failed to consult appropriately or to consider relevant evidence. How can it be, to use the Minister’s words, “proportionate and rational” of the Government to ignore the advice of expert organisations when drafting the statutory instruments, and proportionate and rational of the Minister to run the risk that the Government will face further court action, by ploughing on regardless of criticism?

When the High Court ruled against the Government last year, it placed no obligation on the Home Secretary to define torture in the new policy. Medical Justice and Freedom from Torture cautioned that the new torture definition set out in the Detention Centre (Amendment) Rules 2018 was unnecessary, inappropriate and too complex for caseworkers and doctors to apply to specific cases. That is the very point raised by my hon. Friends. Last week, the Minister said that she did not accept that assessment. I ask her to check again. Organisations commenting on the Home Office training to accompany the new adults at risk guidance said that “it is quite obvious that the caseworkers did not understand the torture definition”.

They stated:

“The training focuses very closely on distinguishing between victims of assault and victims of torture, rather than on identifying vulnerability. The training kept creeping back to notions of detention and physical restraint in the language used to explain the definition, and it was clear there was no common understanding of what severity or powerlessness means in the examples used.”

I hope that we do not hear those points referred to in court at some time in the next 12 months, but I fear that we may.

Freedom from Torture and Medical Justice said that “even when applied correctly, the definition of torture will exclude a group of victims of severe ill-treatment who do not fall within the other indicators of risk”.

I ask the Minister to look at the matter again. I urge her to replace the current categories of torture and sexual or gender-based violence with a more inclusive category, modelled on the detention guidelines from the UN High Commissioner for Refugees, namely victims of torture or serious physical, psychological, sexual or gender-based violence or ill-treatment.

NGOs have stipulated that the new catch-all provision in the revised guidance on the detention of vulnerable persons “does not adequately mitigate the risk of excluding from the protection of the safeguard those known to be at risk of harm in detention.”

Their concerns have been ignored by the Government. NGOs, as well as a cross-party group of parliamentarians, also called on the Government to wait for the publication of Stephen Shaw’s re-review of the welfare of vulnerable people in immigration detention before laying the statutory instruments before Parliament in 2018. That was mentioned in Committee last week and I am afraid that the response was far from satisfactory. I am not even sure that I count it as a response at all. It held no water.

The request to wait for the re-review is perfectly sensible. The High Court did not demand that the Home Office respond immediately. The Government should respond to the court order before Shaw published, so that is not an adequate answer. We are now in the bizarre situation where Parliament must consider the revised definition of torture and the amended guidance separately from the findings of the Shaw re-review. It would have been much better to give the Home Office, parliamentarians and expert organisations the benefit of considering the changes in the light of the full insights from Shaw. Given that the statutory instruments are not due to come into force until 2 July, I urge the Government to withdraw them so that a proper consultation can be carried out on the basis of Shaw’s recommendations. Last week, the Minister said in Committee that Stephen Shaw’s new report had been given to the Home Office at the end of April—a matter of a few weeks after the statutory instruments were tabled—and that it will be published with the Government’s response later in June. I ask the Minister to reaffirm when it will be published. Can she guarantee that it will be this month?

The Home Secretary said in a recent written statement to the House on the Windrush scandal that it was “fundamentally important that the lessons from this episode are learned for the future, so that this never happens again.” [Official Report, 24 May 2018, Vol. 641, c. 53WS]

However, it is very difficult to have any confidence in Home Office Ministers when they are demonstrably unwilling to learn the important lessons on how to increase protection for victims of torture and other vulnerable people in immigration detention. Freedom from Torture, Medical Justice, the Helen Bamber Foundation and Bail for Immigration Detainees could not be clearer:

“Under current arrangements the Adults at Risk Policy does not work to ensure that fewer vulnerable people are detained for shorter periods of time. It is already failing and the proposed changes will exacerbate the problem.”

It is their considered and expert judgment that a terrible situation is going to be made even worse.

The Government should be ashamed, yet at no stage have I heard the Minister offer any kind of apology to the victims of torture and other vulnerable people who have suffered under the policy. It is a prime example of the hostile environment that flourished when the Prime Minister was Home Secretary. The adults at risk policy was drafted on her watch. I know that the Minister has been in her post only six months, so I urge her to apologise on the Prime Minister’s and the Government’s behalf for the torment that so many individuals have faced.

However, an apology alone will not be sufficient. We need a fundamental review of immigration detention policy. We need a policy devised with consideration, care and compassion for victims of torture and other vulnerable people. We need a more humane approach, which should also include an end to indefinite immigration detention. I urge the Minister to reflect and act on the concerns that I have expressed and to commit to engaging far more constructively with parliamentarians and NGOs on these important issues. I look forward to her response.

3.30 pm

Jess Phillips (Birmingham, Yardley) (Lab): It is, as always, a pleasure to serve under your chairmanship, Mr Sharma. It will not surprise anybody that I wish to
join in this debate to talk about my experiences of detained women who have been victims of torture, gender-based violence, sexual violence, female genital mutilation and abuse—anything that can be thought of that happens to us women. I congratulate my right hon. Friend the Member for Enfield North (Joan Ryan) on tenaciously and consistently fighting for these people. The Minister should recognise, after a few weeks of being in front of her, that she will not give up.

I associate myself with everything that my right hon. Friend said about the adults at risk policy. That policy specifically states that survivors of sexual or gender-based violence are recognised as “at risk” and so are unsuitable for detention, yet anybody who ever visited Yarl’s Wood would know that the majority of women in there have certainly suffered gender-based violence, sexual violence or domestic abuse.

I went to Yarl’s Wood about a year and a half ago to visit a woman who I knew to have been a victim. She was in Yarl’s Wood regardless of the fact that she had been a victim of quite horrendous trafficking and abuse. I do not know whether it was just because these people knew I was coming, but by the time I got there, they had released her, so I went to speak to another woman, who had nobody visiting her—I went back round through the security.

I am not entirely sure what training the Home Office is getting, but as somebody who was trained as a first responder for human trafficking and modern slavery and as such was allowed to refer into the Home Office’s system, it took me one minute to identify that this woman I had never met before was a victim of human trafficking. I did that by talking to her and asking her about her experiences—it was not difficult. I had no doubt that this woman was somebody I could easily have acted as a first responder for to get her into the national referral mechanism for modern slavery in this country. There was absolutely no doubt in my mind, yet there she was, in Yarl’s Wood, surrounded by people who were meant to have assessed her.

Kate Green: I am very grateful to my hon. Friend for drawing attention particularly to the situation of women and, indeed, men who have been trafficked, because there is plenty of evidence that being in detention makes it harder for those individuals to receive the expert support and advice that they need, to be able to build up trust to report the experiences that they have had to the authorities and therefore to access the national referral mechanism. As long as we put people in detention, we make another part of the system that is supposed to protect them even less likely to be effective.

Jess Phillips: My hon. Friend is exactly right, and the matter of trust between the different agencies is something that I shall come on to; in fact, that is the main focus of my speech. I could give hon. Members endless evidence from Women for Refugee Women. I have with me case study upon case study of women who had suffered FGM, been forced into prostitution, managed to escape and ended up in Yarl’s Wood. None of them ever seemed to have rule 35 laid out to them—and if they did, that was after two weeks of being detained.

I need not go through all the stories; I am sure that the Minister is very familiar with the issues and I will gladly send her every single one of the case studies. I want to talk mainly about how the Home Office is not only not assessing the people it finds in detention, but actively seeking victims as low-hanging fruit, in its drive to get deportation numbers up. We have seen from the Windrush situation that there is a target culture that is undeniable—somebody got a big Brucie bonus for getting more people deported. We have seen what that has done to that community.

In my constituency, I was dealing with the case of a woman who was brought to this country on a spousal visa and was abused, tortured, kept locked up and prevented from being fed by her spouse and his family. When she escaped, she came to me, and I did all I could to ensure that her immigration was secured through the domestic violence rules that the Home Office lays out.

It used to be the Sojourner project—or “sojournay” for people who are not from Birmingham. Things were going absolutely fine. We often deal with these cases, and the Home Office agreed that it would put the appeals on hold while we were dealing with this woman’s case. There were some discrepancies. Her husband obviously denied what she had said, and the Home Office, for a spell, decided to agree with him, but we managed to get over that little hump in the road, and then he sent a letter to her family in Pakistan, threatening to kill them—his family in Pakistan would kill her family in Pakistan—and that he would kill her in the UK.

On receiving the letter, my constituent called the police; her brother told her what had happened, and she called the police. I do not necessarily know whether this fits into the fancy idea of torture, but I think that somebody threatening to kill a person’s entire family and them—it is a credible threat, because it is not the first time that they have tried to kill the person—is pretty torturous. The woman called the police. The next day, her neighbour, upset and frightened, called me and said, “She’s told us to call you; she said to call you as she was being taken away.” She was taken away to Yarl’s Wood. When she called the police for help because her life was in danger, the response that she got was that she was taken away to immigration detention.

I cannot think of anything that would make women who are desperate and at risk in this country more unlikely to call the police than the fact that they might be dragged off to immigration detention. It is not only that when this woman was taken to Yarl’s Wood, she was not assessed properly for vulnerabilities or how at risk she might be; they actively took a woman, knowing that her life was at risk. That is totally unacceptable.

As somebody who has dealt with many cases like that, I know that immigration detention and deportation is a tool used by perpetrators of violence and abuse, grooming gangs—you name it, it is used by pretty much every perpetrator I have ever met where immigration was involved in the case. The perpetrators say, “If you tell anyone, they’ll take you away,” and boy, haven’t we just colluded with the violent men in this country that we pretend we are trying to stop?

I thought, “Maybe this is an isolated case and it just happens to be in my constituency,” which I did think was a little odd, but it turns out that it is in no way an isolated case. A freedom of information request was made recently of every police force in the country. Of the 45 police forces asked about the practice of handing over victims’ details, more than half said that they did that; the rest either did not reply or did not give a clear
yes or no. Currently, we have a situation in our country where immigration officers are specifically targeting victims who come forward to the police forces. There should be a Chinese wall between victims of abuse and violence, and immigration detention.

I will not read the list of names of migrant women with unstable immigration status who were murdered last year. I asked the Secretary of State for the Home Department, “how many victims detailed in domestic homicide Reviews were classified as (a) migrant to the UK and (b) no recourse to public funds in the last three years.”

Unsurprisingly, although we share all sorts of information about who is in our custody, we do not collect that information centrally.

It is horrifying to think that people who are vulnerable and desperate, who have suffered all manner of torture, are still being failed by our immigration system when they come forward for help. It is criminal that we are handing over victims of violence into immigration detention centres. We do not even need to do an assessment, because we know; they have rung us up about rape, abuse and torture, whether at home or abroad. That we think the appropriate thing is to get on the phone to immigration detention is totally and utterly unacceptable. It is a massive breach of trust in this country that this is still happening.

Again, I associate myself with everything my right hon. Friend has said and the questions she put to the Minister. I want to know what plans the Home Office has to introduce proactive screening processes in the adult risk process; it has a proactive way of detaining people, as I have just outlined. How will the Home Office ensure that people are detained only for the shortest possible time, as the detention policy sets out? As has been said, why is it only the UK that does not have limits on immigration detention? I want to hear from the Minister about that.

I am sure the Home Office will get used to all the amendments that will be tabled to the Domestic Abuse Bill, because this Chinese wall will be in there. I will stand and ensure that no woman who ever rings up about being raped or having a threat to the life of her or her children, whether here or in a different country, ever ends up in Yarl’s Wood again. I will find every single woman that has happened to.

What plans does the Home Office have to look at different ways of dealing with this? The Corston report on women in prison should be a lodestar and touchstone. There are community organisations to which the Government could pay a tiny fraction of what they are currently paying to whoever it is these days—G4S or Serco, or perhaps it is Sodexo, which makes sausage rolls for hospitals and keeps prisoners safe. Such a range! Those community organisations would actually help these people.

I worked in a human trafficking service. I worked for years in community projects with women with unstable migration status. I can almost guarantee that our rates of return home were better than those of the current detention system, because we did not just send people back to a country with no support. We ensured that those choices were made in reasonable time and that the safest option, whether staying here or going back, was followed.

There is no energy going into looking at better community options for immigration detention, for both men and women. Yet, in every other area of criminal justice, we will see that community detentions have far better rates, are far cheaper and are much better for the human rights of the people involved. I will leave the Minister with that. I cannot ask enough times whether she will confirm for me that a victim of crime will never again be used just to inform our deportation numbers.

Kate Green (Stretford and Urmston) (Lab): It is a pleasure to serve under your chairmanship, Mr Sharma. I do not have a great deal to add to the eloquent speeches of my right hon. Friend the Member for Enfield North (Joan Ryan) and my hon. Friend the Member for Birmingham, Yardley (Jess Phillips). Like them, I have been absolutely devastated by some of the stories I have heard of what has been happening to vulnerable people, who have committed no crime and who are locked up by the state when they have already suffered unimaginable trauma.

I became aware of just what that means for individuals at the St Bride’s Destitution Project, which is run with the British Red Cross at St Bride’s church in my constituency. It is a drop-in for refugees and asylum seekers, many of them destitute, to find company or to get some advice, food or clothing.

While I was there on a visit, a lady came in who had just been released from Yarl’s Wood and sent all the way back to Manchester that afternoon. That was not the first time that this had happened to her, because one of the features of our detention system is that people are in and out, in and out. We have a cat and mouse situation of taking people into detention, deciding they are vulnerable or do not pose a risk, releasing them and then—later in the protracted process of handling their claim for status—bringing them back into detention again.

When that lady came in, she collapsed in front of me. She literally collapsed. Her legs gave way beneath her, not for a physical reason, but for the sheer relief of being out of detention. I have never seen anything like it. I was moved and horrified. The distress that lady felt at being out of detention. I have never seen anything like that. I was moved and horrified. The distress that lady felt and her relief at being out of that situation will stay with me all my life. What threat she posed to our community and society I cannot imagine. The threats were being directed by us, as a state, at her.

I endorse everything that has been said about the deplorable, inhumane way that we are treating people in detention, particularly about the failure of the process to screen out at the first stage people who should not be going to detention at all. I would also like to draw the attention of right hon. and hon. Members to the complete failure of the assessment process when people try to avail themselves of rule 35 inside our detention centres.

Women for Refugee Women produced a compelling report on the experiences of a group of women that it was able to talk to in Yarl’s Wood, some of whom had sought rule 35 reports. Sometimes those women had had to wait a considerable period even to have the assessment and the report prepared—women who present
as highly vulnerable and are then told to wait days, if not weeks, until someone takes the time and has the capacity properly to assess that vulnerability. That would not happen in any other part of our public services. It should not happen to those vulnerable people.

Even when those women obtained a rule 35 report and it confirmed that they were survivors of gender-based or sexual violence, many of them were still kept in detention. I cannot understand how they were not released when it had been identified that those women had experienced something that any woman in this room will know would be torturous. We could not live with that. We would be vulnerable as a result.

We have to recognise that many of those who spend time in detention will be released and returned to the community. Some 56% of those in detention return to the community after a time.

Joan Ryan: That is a really interesting statistic—56%—and I thank my hon. Friend for making such a powerful contribution to the debate. Let us remind ourselves: Home Office policy is that people should be detained only in exceptional circumstance. How can that be being applied if 56% are then released?

Kate Green: My right hon. Friend is absolutely right, and when she was talking about detention not being proportionate, I thought, “How can it be proportionate, when more than half the people who are detained are clearly not a risk that means we have to lock them up? If they were, they would not be returned to the community.” It makes no sense.

We need some clear answers from the Minister on the failure of the assessment process—or lack of process—before people are detained, and we need much greater insight into what the Government are doing to address the fact that in detention, the way of screening, assessing and dealing with vulnerable adults is still not working well, despite the adults at risk policy and the availability of rule 35.

Just today, I was sent a copy of the Independent Monitoring Board’s report on what happens when people are deported from detention centres. There, too, we have a catalogue of poor-quality treatment of people who are leaving the country and are therefore likely to be traumatised, angry and frightened. Although it is legitimate to remove them, we should do that in a way that is dignified and humane. The report makes it clear that we do not consistently do that. How can we hold our heads up in a civilised country if we have to shackle people unnecessarily, deny them access to private toilet facilities and leave them to get off a plane in their home country without any knowledge of what support they will have or what situation they are walking back into, and without any advice available?

At every stage of the process, our system shames us, especially in relation to the most vulnerable people who have suffered persecution, torture and abuse. I hope the Minister understands how much concern there is about the way our detention system works—not just among those of us who could be in the Chamber this afternoon, but across the House. Like my hon. Friend, I very much look forward to her response to that concern.

3.51 pm

Stuart C. McDonald (Cumbernauld, Kilsyth and Kirkintilloch East) (SNP): It is a pleasure to serve under your chairmanship, Mr Sharma. I congratulate the right hon. Member for Enfield North (Joan Ryan) on securing the debate, on another expert speech and on the work that she has done in recent weeks to challenge Government policy on the detention of vulnerable people. I thank all hon. Members who have contributed to the debate so far. It is fair to say that they all have strong and long track records in championing the cause. We have heard typically eloquent and passionate speeches from the hon. Members for Birmingham, Yardley (Jess Phillips) and for Stretford and Urmston (Kate Green).

I also thank the campaigners and campaign groups who do so much to keep the issue on the agenda. The vulnerable detainees we are talking about are kept so far out of sight and out of mind that it would be easy to forget about them. It is a tribute to the campaigners that they continue to work to support those detained individuals and push to keep them on the political agenda.

As in every debate on detention, I begin by repeating the position of the Scottish National party that the large-scale, routine detention of many thousands of people in private prisons for an indeterminate period at the discretion of immigration officers remains a scandal. It is a stain on our democracy and an affront to the rule of law—a matter of shame, as the hon. Member for Stretford and Urmston correctly put it.

The current system is unacceptable for a host of reasons: it detains too many people, including people who should never be detained; it detains people for too long and without a defined time limit; and the safeguards against detention are utterly inadequate. If those factors are not enough, we can appeal to the purse strings: it is hugely costly and inefficient, and it does not remotely achieve what the Government want it to do.

Root and branch reform is urgently required; tinkering around the edges is nowhere near enough. Reform is needed not just of the detention system, but of the whole immigration system of targets and the hostile environment, as the hon. Member for Birmingham, Yardley argued.

I suspect that the Minister will say, as she has said before, including last week, that the number of people detained is proportionately quite small, but that is just too far removed from reality. The fact that 28,000 people are detained in any given year is absolutely horrendous. The UK’s immigration estate is among the largest in Europe; we detain several times as many people as some of our European neighbours. It has become a matter of routine rather than a last resort.

All those facts and figures were set out in the cross-party report referred to by the hon. Member for Sheffield Central (Paul Blomfield). The sheer volume of people involved is one reason that adequate procedures to stop the detention of vulnerable people are almost impossible to operate—the system cannot cope.

The debate is not just about numbers; it is about individual stories. The hon. Members for Birmingham, Yardley and for Stretford and Urmston did us an important service in reminding us of that, and in providing some horrifying examples of what is going on. As Stephen Shaw made clear in his first report, “detention in and of itself undermines welfare and contributes to vulnerability.”

That vulnerability will vary over the period of detention and has consequences for people long after they are released—as we have heard, 56% of them will be released back into the community—as highlighted in the new British Red Cross report, which has also been referred to.
[Stuart C. McDonald]

Despite that, the UK still locks up vulnerable people on a huge scale, including victims of trafficking, torture or sexual violence, people with mental health conditions, and pregnant women. Mr Shaw described the detention of people with serious mental illness as an “affront to civilised values” and I agree.

Torture survivors and victims of serious violence and ill-treatment are among those particularly vulnerable to harm. Last week, the Government ignored concerns from the Opposition and from organisations such as Freedom from Torture and Medical Justice that their proposed changes to the detention rules would undermine rather than improve the safeguarding of victims of torture and ill-treatment.

As the right hon. Member for Enfield North said, the problem with these changes is that thee concern medical practitioners with an overly complex definition of torture that introduces a concept of powerlessness that has a dubious link to vulnerability and that will require a detailed and excessive interrogation of the vulnerable person. There is a danger that victims of severe ill-treatment and violence risk being excluded from the protections offered in the detention centre rules and guidance.

The burden of evidence placed on torture survivors has also increased. Instead of simply requiring them to provide independent evidence of torture to justify exclusion from detention, specific evidence is now needed to show that detention is likely to cause harm, which is a difficult concept.

We also need to consider the fact that guidance now includes a broader range of immigration factors that can justify detention even of torture survivors. As the UN High Commissioner for Refugees has said, the adults at risk policy appears to make it more likely that vulnerable people will remain in detention because it requires the Home Office to balance the person’s vulnerability with their immigration history, with disproportionate weight being given to latter in many cases. The proof is in the pudding: the figures show that the number of releases following a rule 35 report has plummeted from 39% to 12.5%. The hon. Member for Stretford and Urmston set out exactly why the rule 35 process cannot be considered fit for purpose.

Last week, along with other hon. Members, I argued that the Government’s policy on the detention of vulnerable people should be shaped by the new Shaw review. The right hon. Member for Enfield North described that request as not unreasonable; I think it would be entirely sensible. Even though the Government have ignored our request, it remains the case that fundamental reform is needed, and it should reflect the wide-ranging recommendations of Mr Shaw’s reports.

We will continue to argue that there is no need for a specific definition of torture, and that the category of vulnerability should be broadened to include other victims of serious violence and ill-treatment, as recommended in the UNHCR detention guidelines. There should be a presumption, not a burden of proof, that such individuals are vulnerable to harm, and we should make their detention truly exceptional, rather than arming the Home Office with a further list of excuses for keeping them locked up. There is a drastic need to introduce a more thorough screening process.

More broadly, the detention estate must be cut drastically. The Yarl’s Woods, the Brook Houses and the Dungavel Houses should be shut down. Community alternatives and case management systems are more humane, cheaper and more effective, and they should be rolled-out with learning from best practice in other countries. There must be a time limit on detention. We must end this stain on our country’s reputation. As the right hon. Member for Enfield North said, this is a human rights cause, and we will all continue to champion it until radical reform is delivered.

3.58 pm

Afzal Khan (Manchester, Gorton) (Lab): It is an honour to serve under your chairmanship, Mr Sharma. I thank my right hon. Friend the Member for Enfield North (Joan Ryan) for securing the debate, for her powerful speech and for her pertinent questions. I am sure that we would all agree that although there are not many hon. Members present, the speeches we have heard have been of a very high quality and very passionate. Some important questions have been asked of the Minister; as we have enough time, I hope she will answer them.

Victrims of torture and other vulnerable people should not be in immigration detention, but current safeguards are not working and vulnerable people are still being detained for long periods. The Shaw review made a number of recommendations, but the Government’s response to that review—addressing adults at risk—has in some places made matters worse. Last week, the Minister confirmed that she already had Shaw’s follow-up review. I look forward to that being published this month, so that we can fully scrutinise and debate his findings. Today I will discuss issues that happen before people are detained, the experience of people in detention and the difficulties that vulnerable people have when they are released.

First, the Home Office should identify whether someone is vulnerable before they are detained; a number of Members emphasised that point. Currently, there is no effective pre-detention screening process. The detention gatekeeper works only with the limited information that is already on a person’s file; often, that information is not enough to identify vulnerability.

Secondly, the experience of being in detention can often increase someone’s vulnerability; again, this point has been emphasised before. Many studies have shown that the lack of a time limit on detention causes significant distress. As Sabiti from Uganda put it:

“It’s horrible not knowing when it will end. You are just there sitting, waking up and eating, and there’s nothing; it’s like your whole life has just stopped.”

We need a 28-day time limit on immigration detention. The detention estate is enormously expensive and it is not effective, even when measured by the Home Office’s own standards. The majority of people in detention are released back into the community and not deported.

It is common for people to be moved around between detention centres. I have been told that moves often happen at night because the contractors doing the outsourcing do not have enough vans and drivers to organise moves during the day. This causes a number of problems, especially for vulnerable people: people with health difficulties cannot receive the continuity of care
that they need, and people are housed away from their families and often do not have any visitors for the whole period that they are detained, especially as detainees’ phones are routinely confiscated. They cannot contact family, friends or anyone else they rely on outside.

Thirdly, it is difficult for vulnerable people to be released from detention, even when the Home Office has recognised them as being vulnerable. Vivian experienced female genital mutilation, or FGM, as a child. Later, she married an abusive and violent man, who forced her into prostitution. She eventually fled to the UK. Vivian told the Home Office what had happened in her main asylum interview. She remained in detention for two months before she obtained a rule 35 report. However, even after that report, the Home Office refused to release her for four months, when a new legal aid solicitor threatened to take the Home Office to court. Vivian’s story highlights a number of problems with the rule 35 process. Many detainees do not know about it. Women at Yarl’s Wood detention centre are not told about rule 35 reports by Home Office or detention centre staff as a matter of course.

Some detainees also have to wait for long periods to see a doctor—sometimes two weeks or more. Even if a vulnerable person receives a rule 35 report, fewer vulnerable people are being released now than before the adults at risk policy was introduced. Before that policy was introduced, 39% of those with a rule 35 report were released. After its introduction, that fell to 12.5%. Why was there this fall?

The adults at risk policy raised the threshold as to a decision to detain. Before, victims of torture would be detained only in “very exceptional circumstances”; now the harm of detention is balanced against a vague set of “immigration factors”, such as the risk of absconding. And the vulnerable person must present specific evidence that detention is likely to cause harm. This is very hard to do before someone has actually been detained.

Most people with rule 35 reports are victims of torture. The Government have made changes to the definition of torture in the adults at risk policy that will come into effect on 2 July. I have already set out in detail our objections to these changes, but I will reiterate them briefly here.

First, the new definition is unworkable. It is too complex to be applied by either doctors or Home Office staff.

Secondly, the new definition is unnecessary. If implemented in its current form, and even if it is applied perfectly, this definition of torture will exclude victims of severe ill treatment.

The Secretary of State has the power to create an inclusive category of people who will be protected by the adults at risk policy. Rather than narrowing the definition of torture, the Government should incorporate the High Court ruling into their wider review of the detention centre rules, and the adults at risk guidance. This should take into account the findings of the second Shaw review and a proper consultation.

During consideration in Committee of the Immigration (Guidance on Detention of Vulnerable Persons) Regulations 2018 last week, the Minister told us that she is rolling out an extensive training programme for caseworkers and healthcare professionals in detention centres. Would it not make more sense to conduct a review of the entire detention centre rules and guidance, and train staff on everything at once, rather than bringing this change in now and possibly altering it later this year?

Finally, I turn to what happens when people are released; put simply, the problems do not go away. Often, people are released into destitution. Some very vulnerable people in detention will have been receiving medical treatment. Typically, people are given only four hours’ notice of release and then given a ticket back to wherever they were living before being detained. That creates serious problems regarding continuity of care. The trauma of detention stays with people. Without a resolution to their case, they are released from one limbo into another. Many people were originally detained when they went to report to authorities. On release, they go back to reporting regularly and each time they worry that they could be detained again.

Our immigration detention system is not adequately protecting vulnerable people. We have the Shaw review, and the review of the detention centre guidelines is coming up. I encourage the Minister to halt the changes to the definition of torture that are due to come in soon, and to undertake a proper consultation on the wide reforms that are needed. Our detention system desperately needs a culture change: we need a 28-day time limit; we need a true presumption against detention, so that it is used only as a last resort; and we need to end the outsourcing of detention to private companies.

4.8 pm

The Minister for Immigration (Caroline Nokes): It is, of course, a pleasure to serve under your chairmanship, Mr Sharma.

I commend the right hon. Member for Enfield North (Joan Ryan) for securing this debate on the immigration detention of victims of torture and other vulnerable individuals. As many Members will know, the right hon. Lady has been absolutely diligent on this issue. Of course, we have heard several times mention of the debate that she secured last week, having prayed against the two statutory instruments, which, to a large extent, provoked this discussion today.

I thank Members for their contributions to the debate, but I pay particular tribute to the expertise and knowledge of the hon. Members for Birmingham, Yardley (Jess Phillips) and for Stretford and Urmston (Kate Green). I certainly recognise their wealth of knowledge and the opportunities that they often provide to—for want of a better phrase—pick their brains and find common ground. That is important when we are discussing sensitive issues. We should find common ground when it is there to be found. I know that there will be many areas where we disagree, and I will undoubtedly cover them in due course, but it is imperative that when Members from across the House have expertise and knowledge, we seek to use it and learn from it.

There was certainly no intention in last week’s statutory instruments to make matters worse for vulnerable individuals and victims of torture, but I come back time and again to the judgment of October last year, which clearly gave us guidance and a steer that we needed to take action within a reasonable timescale to make our definition clearer. We have discussed the timing of the statutory instruments, but I go back to this point: we are duty bound as a Government to act within a reasonable timescale, and the judgment indicated we should do so.
I was concerned that if we waited for the Shaw re-review to come out, we would lose the opportunity to lay the SLs before the summer recess and that they would then not be laid until the autumn, potentially coming into effect more than a year after the judgment. In making his judgment, Mr Justice Ouseley had the benefit of the expert witnesses of Medical Justice, among others. He made it very clear that we as a Government had to act.

Joan Ryan: The Minister is being very generous, as she was in Committee. Did she give any consideration to simply going back to the definition that we had prior to the adults at risk policy, while we waited for the Shaw review? It was surely in her gift or that of her officials to talk to Stephen Shaw and ascertain roughly when the re-review might be available. Clearly he was very close to making it available. We could have taken a step back from the 2016 adults at risk policy, and then found ourselves with the Shaw re-review and in a position to do a full review to bring forward a policy that could command the support of the expert groups.

Caroline Nokes: I thank the right hon. Lady for her intervention. I want to address briefly some issues of timing and whether the most desirable outcome would be to seek to turn the clock back. I think she almost commenced some of her commentary this afternoon with a discussion of how the Shaw review occurred. We received his first review in 2016. It was started because previous policies were not working. We should accept his expertise and recommendations and learn from them.

I am not going to say this afternoon that I think the adults at risk policy is perfect. I regard it very much as a work in progress—something that we will seek to improve, adapt and amend. Do I at this point seek to turn the clock back? No, I do not. The right hon. Lady must wait for the publication of the review and the response we intend to make. I intend it to be very full and to provide as much information as possible, taking on board Stephen Shaw’s recommendations and ensuring that we make our detention policies better. I said last week and reiterate this afternoon that we will update our detention centre rules in the second half of this year. That gives us an opportunity to look at many of the issues that have been raised this afternoon.

Members will know—it has been alluded to this afternoon—that 95% of those who are here without the right to be so are in the community. Some 5% will be in detention at any one time. I am determined, and have been since I came in as Minister, to look at the alternatives to detention. We do so constantly. We can all understand that being in detention puts stress on individuals. For those who are vulnerable, those stresses will be exacerbated, and we have seen the evidence that indicates that. It is important, however, that we accept that it is Government policy that for those who have no right to be here and for whom alternatives to detention have not succeeded, may not succeed or may not be appropriate, there will remain a place for detention within our immigration system. It is important that we recognise that it is only when there is a realistic chance of removal within a reasonable timescale that individuals will be considered for detention, including by the new detention gatekeeper that was introduced post-2016 and post-Shaw. We should acknowledge that the detention estate has reduced. I have an ambition to continue to see it reduce, because that is absolutely the right direction of travel.

I reject the right hon. Lady’s suggestion that there is targeting of victims, and I reject the phrase “low-hanging fruit”. That is not a term I recognise or would use, but I know we can do better. One hears with absolute horror the case studies that she identifies and highlights so properly to us this afternoon. We must ensure we are not putting individuals who have been the victims of domestic violence at further risk. She has been diligent in her determination to reinforce that message to me.

We have also heard of the horrendous—I think that is the only word I can use—instances at Brook House. As a new Immigration Minister, the “Panorama” programme made extremely unhappy viewing. My private office provided me with the link and told me to go home that night and watch it. We have the Lampard review in place, and we have the reviews that are carried out in every immigration removal centre by the independent monitoring boards. I have been pleased to meet members of the monitoring boards and receive their reports. They are an important tool in understanding where we are getting things wrong and how we can do things better.

We will review the detention centre rules in the second half of this year, and I regard that as an important opportunity that we must seize. As Members will know, the Government work hard to encourage individuals to comply with our immigration rules and support those with no right to remain to leave voluntarily. A minority of individuals refuse to comply, and detention can then become a necessary tool for enforcing return.

Like the right hon. Lady, I would prefer that we did not have to use detention, but when people do not leave voluntarily, have no right to be here and frustrate attempts to seek their return from this country, we must use it. It is used sparingly, however, and we operate a strong presumption in favour of not detaining. Of those people with no lawful basis to stay in the UK and who are liable to removal, 95% are managed in the community at any one time.

For every individual who is detained, there must be a realistic prospect of removal within a reasonable timescale. In each case, we expect those making detention decisions to consider the likely duration of detention necessary to effect removal. The majority are held for short periods. Some 91% of those leaving detention in the year ending March 2018 were detained for less than four months, and 64% were detained for 28 days or less. Their welfare is of the utmost importance to the Home Office.

Where it is necessary to detain people to remove them, a number of safeguards are in place including the presence of healthcare staff in all immigration removal centres and residential short-term holding facilities; a comprehensive suite of published guidance and operating procedures to govern conditions in the centres and support the wellbeing of detainees; regular reviews of detention by increasingly senior officers to ensure that detention remains appropriate and to drive forward case progression; and independent judicial oversight of immigration detention.

The adults at risk policy implemented in September 2016 provides a further vital safeguard and was a key part of our response to Stephen Shaw’s review of the
welfare of vulnerable people in immigration detention, which was commissioned by the Prime Minister when she was Home Secretary. Under the adults at risk policy, vulnerable people are detained or their detention continued only when the immigration considerations in their case outweigh the evidence of vulnerability. Detention decisions are made on the basis of all the available evidence. Cases are reviewed not only at regular intervals, but whenever new evidence comes to light.

As I mentioned a few moments ago, we were all deeply shocked by the events shown in the BBC’s “Panorama” programme about Brook House. The centre operator took swift action in response, suspending and then dismissing a number of members of staff, and, as I said, Kate Lampard has been commissioned to conduct an independent review.

The national referral mechanism is the existing process by which people in the UK who may have been trafficked, or people in England or Wales who may be the victims of slavery, servitude or forced or compulsory labour, can be identified and supported by the Government or other agencies. In addition, detention centre rules 34 and 35 help us to identify vulnerable victims.

The right hon. Member for Enfield North asked a very specific question about how many individuals are categorised as level 1, 2 or 3 under the adults at risk policy. I will write to her separately with the management information, but I want to put it on record that we are considering publishing that information as part of our response to Shaw. The adults at risk policy seeks to strike a balance between the risk of harm to the individual from detention and the immigration factors in their particular case. That is both sensible and reasonable, and ensures that those who are most vulnerable, and therefore most at risk of harm from detention, are not detained unless the immigration factors outweigh that risk. I believe that that is a proportionate approach, and if people are detained their welfare is, of course, of the utmost concern, including ensuring that the period of detention is as short as possible.

Joan Ryan: What the Minister has just said beggars belief in the light of the statistic mentioned by my hon. Friend the Member for Streatham—

Kate Green: Stretford and Urmston.

Joan Ryan: Stretford and Urmston. Streatham is not very far away, is it? You would think, with my accent, I would have been able to get that right—I do apologise.

My hon. Friend talked about 56% of people being released back into the community. There clearly is a problem. It is not as the Minister says. I do not understand what confidence we can have if she cannot take account of that. Will she also confirm that the Shaw re-review will be published later this month?

Caroline Nokes: The hon. Gentleman needs to reflect on the fact that 95% of those who have no right to be here are in the community. A small proportion are in detention, but it is absolutely right that when those who have gone into detention provide us with additional information towards their potential asylum claim, we reflect on that, and that we enable people to be released from detention when they should not be there. I do not accept his premise that the system does not work, and I hope that he might accept that there is a place for immigration detention.

Afzal Khan: Will the Minister give way?

Caroline Nokes: I am sorry; I wish to conclude my remarks very shortly.

I reassure hon. Members that we are absolutely committed to the welfare of detainees, and specifically to protecting victims of torture and other vulnerable people in immigration detention. I am clear that those aims are important to us and not incompatible. It is to
those complementary ends that we are now implementing the judgment that the court set down clearly in October, and we shall seek to do so within a reasonable timescale.

4.26 pm

Joan Ryan: I thank hon. Members who have taken part in today’s debate. My hon. Friend the Member for Birmingham, Yardley (Jess Phillips) provided moving and powerful examples from her own experience. She and my hon. Friend the Member for Stretford and Urmston (Kate Green) fleshed out the human cost of the policy since 2016 and, I think, its cost going forward. I am grateful to the SNP Front-Bench spokesperson, the hon. Member for Cumbernauld, Kilsyth and Kirkintilloch East (Stuart C. McDonald), for his support and knowledge on this matter, both today and in Committee. The Front-Bench spokesperson for the Labour party, my hon. Friend the Member for Manchester, Gorton (Afzal Khan), made a powerful case that demonstrated understanding, for which I am grateful.

I cannot deny that I am very disappointed in the Minister’s response. I do not expect her to stand here today and change policy, but I hope that she will go away and reflect on what has been said. I am sure that she will, and I hope that she will reflect to such a degree that we hear something different when we get the Government’s response to the Shaw re-review. I think we are seeing a change only because the Government were dragged into the High Court. The change has not occurred of the Government’s own volition, so perhaps we should not be surprised that we are not hearing the things that we think we should be.

It is no use talking about 95% and 5%. We are talking about 27,000 people—more than 4,000 women at any one time—suffering from an inhumane policy that contravenes many people’s human rights. I do not think we can say that the Government are doing it in the name of the people of this country. This is taking the low-hanging fruit to meet the immigration numbers, and it does not take account of how people are suffering.

The policy has to change. It will continue to be challenged, and I hope that we do not have to come back here in a year’s time. It will give us no satisfaction to say, “We were right,” given what the human cost will be between now and then. That could be avoided if the Government would but listen. Do not give lip service to abandoning the hostile environment—genuinely abandon the hostile environment.

Question put and agreed to.

Resolved.

That this House has considered immigration detention of victims of torture and other vulnerable people.

4.29 pm

Sitting adjourned.
Written Statements

Monday 4 June 2018

ATTORNEY GENERAL

Serious Fraud Office

The Attorney General (Jeremy Wright): I am today announcing the appointment of Lisa Osofsky as the next Director of the Serious Fraud Office (SFO).

Under the Criminal Justice Act 1987, I appoint a person to be the Director of the Serious Fraud Office, who shall discharge their functions under my superintendence. The Prime Minister and Cabinet Secretary have been notified of this appointment.

This appointment has been conducted in line with civil service guidance and the process has been overseen by a civil service commissioner.

[HCWS730]

EDUCATION

School Places

The Secretary of State for Education (Damian Hinds): My noble Friend the Parliamentary Under-Secretary of State for the School System (Lord Agnew) has made the following written ministerial statement.

The Government are committed to creating more good school places through a diverse education system, to ensure that parents have choice and that children of all backgrounds have access to the best education.

We are investing £7 billion from 2015 to 2021 to create new school places. This forms part of our wider plan to invest more than £23 billion in the school estate by 2021. By continuing to announce the profile of allocations ahead of time, we recognise that good investment decisions require certainty.

As part of this, I am announcing a total package of £730 million of capital funding to create new school places. This includes £630 million of basic need allocations to create the places needed by September 2021. Announcing these allocations means local authorities can plan ahead with confidence, and make good strategic investment decisions to ensure they deliver good school places for every child who needs one.

We recently published the 2017 School Capacity Survey, which highlights the progress to date in providing new school places. By May 2017, our investment had already helped to create 825,000 additional school places since 2010, with 90,000 delivered in 2016-17 alone.

The vast majority of these new places are being created in good or outstanding schools. This is demonstrated through the latest school place scorecards released, which show that 91% of the new places added between 2016 and 2017 in both primary and secondary phases were created in schools rated as good or outstanding by Ofsted.

The Government are also committed to investing in school places for children with special educational needs and disabilities. As part of this, I am announcing a further £50 million top-up to the special provision capital fund to take our total investment to £265 million across 2018-21. This additional funding will help local authorities to create further school places and facilities for pupils with special educational needs and disabilities.

I am also announcing £50 million of basic need funding, contributing towards the capital costs of building a new mainstream secondary presumption free school in a targeted number of local authorities.

Details of this announcement will be published on the www.gov.uk website, and copies will be placed in the House Library.

[HCWS729]

Social Work England

The Parliamentary Under-Secretary of State for Education (Nadhim Zahawi): My hon. Friend the Minister for Care (Caroline Dinenage), for the Department of Health and Social Care, and I have today published the Government response to the public consultation on the policy to establish the regulatory framework for Social Work England, the new, specialist regulator for social workers in England. Alongside this Government consultation response, we have laid regulations that, subject to parliamentary approval, will enable Social Work England to operate.

The consultation, which ran from 8 February to 21 March, sought views from everyone with an interest in social work and professional regulation on the policy underlying Social Work England’s secondary legislative framework. The aim of this regulatory framework is to enable Social Work England to protect the public by operating streamlined, proportionate and efficient systems and processes which adapt to emerging opportunities, challenges and best practice. This will ensure the professional regulation of social workers in England reflects the changing reality of delivering social work practice safely and effectively—building public trust and confidence in the profession.

We received 198 responses to the consultation from a wide variety of interested stakeholders, including representatives from social worker networks, local authorities, unions, charities, education providers, service user groups, regulatory bodies and individual social workers. During the consultation period, officials also held 11 events, consulting with social workers, education providers and interested parliamentarians and met again with both the Regulatory Expert Group[1] and the Advisory Group[2].

Overall, respondents supported the majority of proposals. The consultation response summarises respondents’ views, areas of concern raised and the changes made to address those concerns. We have taken clear and practical steps to respond to what experts, professionals and the sector told us to further strengthen and refine the proposed secondary legislative framework for Social Work England.

A number of respondents also requested further clarity on the role of Government in relation to Social Work England; expressed strong support for collaboration between Social Work England and the sector; and highlighted the importance of minimising disruption to the profession during the transfer of regulatory functions. Many recognised the potential benefits a specialist, single profession regulator will bring to social workers
and for the social work profession. Respondents also provided wider comments on the way in which Social Work England will operate as the regulator on a day-to-day basis, and how it might consider effective and efficient ways to discharge its functions. While these responses fall outside of the scope of the consultation on the secondary legislative framework, we do expect Social Work England to work closely with the sector through its consultations on standards and regulatory rules, and as it establishes itself as the new regulator for social workers in England. We hope that respondents will welcome the opportunity to contribute further to such consultation.

Finally, we can announce today that Colum Conway has been appointed as the new Chief Executive of Social Work England. Colum is currently Chief Executive of the regulatory body for the social work profession and social care workforce in Northern Ireland. Alongside his Social Work England experience of running a regulator, he has a background in social work and has many years’ experience working in senior leadership roles. We are confident that he will bring a wealth of relevant experience to this role and we look forward to working with him, and Social Work England’s Chair Lord Patel of Bradford, to make Social Work England a success.


[1] The Regulatory Expert Group includes representatives from the General Medical Council, the Banking Standards Board, Professional Standards Authority and the Legal Services Board.


HEALTH AND SOCIAL CARE

Breast Cancer Screening

The Secretary of State for Health and Social Care (Mr Jeremy Hunt): On 2 May 2018 I informed the House of a serious failing in the national breast cancer screening programme in England, which resulted in thousands of women aged between 68 and 71 not being invited to their final breast screening between 2009 and May 2018. This statement provides an update on the specific commitments I made in my oral statement and the actions we are now taking to support those affected and prevent similar incidents from happening in the future.

First, in my original statement, I committed that the NHS would offer an appointment for screening to all women who missed their scheduled appointment as a result of this error, and that we would provide clear information and advice for anyone with concerns. I asked Public Health England to work with the NHS to contact women who missed their screening by the end of May. I can now confirm that Public Health England met this deadline by 18 May, contacting 195,565 women registered with a GP in England. In addition, all the affected women known to have moved to Scotland, Wales or Northern Ireland were also written to by 1 June 2018.

The result of this is that as of 1 June 2018, 26,774 women have now received an appointment for screening, with hundreds already screened. I am providing detailed information on how many women have been contacted in each English constituency, alongside the confirmation that we have written to all those women now registered with a GP in one of the devolved administrations—503 women in Scotland, 94 women in Wales and 72 women in Northern Ireland. In addition, a dedicated helpline was established on 2 May 2018 to support women who may have concerns. This helpline operates from 8am to 8pm, 7 days a week, and has received over 46,000 calls.

Secondly, I made clear that no one would face delays to their routine screening as a result of the NHS catching up on these additional appointments. I can confirm that, over the last four weeks, the NHS has put in place an additional 68,000 screening appointments nationally and is on track to ensure that all women affected who want a screen will be seen by the end of October, without impacting on other patients. I want to put on record my enormous gratitude to clinical staff who have worked tirelessly to offer additional appointments and to management teams who have co-ordinated and pooled their resources across different centres, or looked to other private providers, to expand capacity to manage the extra demand.

Thirdly, I explained to the House that we were still attempting to understand how many women had been affected and how many had experienced harm as a result. I made it clear that some of the figures I provided were provisional estimates and undertook to provide a further update. I can now confirm, based on analysis by Public Health England, using data provided by NHS Digital that up to 174,000 women were affected by this issue, of which we know that up to 130,000 are still alive. As a result, the numbers who may have had their lives shortened as a result of missing their screening is now estimated to be fewer than 75. While this figure is lower than the original estimates given in my statement, this does not lessen the devastating impact that this has had on some people’s lives.

Finally, the most important thing we can do in cases of serious error is to ensure there is a robust and thorough process to investigate, understand and learn from what went wrong. In my original statement, I also announced an independent review, 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 with Peter Wyman from the CQC as the Vice Chair. I can now confirm that we have agreed the terms of reference for this review, details of which are attached to this statement. The Chairs are considering how best to involve affected women, their families and wider stakeholders and will release information on this when it is available.

Our cancer screening programme is widely recognised as world-leading, but on this occasion a number of women have been let down. It is now clear that this may have resulted in significant harm for a small number of women, while thousands more have faced unnecessary distress and anxiety as they waited to hear if they have been affected. I would like to repeat my wholehearted
and unreserved apology to the women affected and their families—and above all reassure them that we are working hard to understand what went wrong and what we need to do to stop similar incidents from happening in the future.

[HCWS731]

HOME DEPARTMENT

Counter-terrorism

The Secretary of State for the Home Department (Sajid Javid): The Government’s first priority is to keep families, communities and our country safe. Today, I have published an updated version of “CONTEST: The United Kingdom’s Strategy for Countering Terrorism”. The new strategy has been laid before Parliament as a Command Paper (Cm 9608), and copies are available in the Vote Office and on www.gov.uk.

The threat from terrorism, globally and in the UK, is higher than when we last published “CONTEST” in 2011. The threat from Islamist terrorism, in particular that inspired by Daesh and al-Qaeda, remains the most severe. Northern Ireland-related terrorism continues to pose a serious threat in Northern Ireland and Great Britain, and there is a growing threat from extreme right-wing terrorism. In 2016, we proscribed an extreme right-wing terrorist group, National Action, for the first time.

In 2017, we saw a significant shift in the terrorist threat to the UK. Five attacks in London and Manchester led to the deaths of 36 innocent people, and many more injured. We responded decisively, rapidly adapting our priorities and capabilities, to break the momentum of these attacks. Since March 2017, the police and the security and intelligence agencies successfully foiled a further 12 Islamist plots, and disrupted four extreme right-wing plots.

This strategy is the culmination of a detailed review of the UK’s counter-terrorism arrangements, led by the Home Office. We have designed a new, more agile, flexible and co-ordinated approach to respond to the shifting nature of the threats we face, including terrorist exploitation of new technology, the increase in attacks in Europe, including the UK, as Daesh is forced into retreat in Syria and Iraq, and the speed with which people are being radicalised and plots developed. We will introduce new counter-terrorism legislation to disrupt terrorist threats in the UK earlier, taking account of the scale of the threat and the speed at which plots are now developing. We will share information more widely and support more local interventions with individuals in our own communities who are being groomed or incited to commit or support acts of terrorism. We are piloting multi-agency centres to do this in London, Manchester and the west midlands. We will enhance our efforts to disengage and rehabilitate those already involved in terrorism, including through the expansion of the desistance and disengagement programme. And we will continue to work in partnership with the aviation industry and international partners to deliver robust and sustainable aviation security in the UK and overseas.

This strengthened strategy sets out how we will build on the UK’s formidable capabilities, experience and expertise to tackle the growing and changing threat from terrorism in all its forms.

[HCWS727]
Written Statements

Tuesday 5 June 2018

TREASURY

Financial Services

The Economic Secretary to the Treasury (John Glen):
The Government have sold just over £2.5 billion-worth of Government-owned RBS shares, as part of the Government’s policy to return the bank to private ownership: 925 million shares (representing approximately 7.7% of the bank) were sold at a price of 271p per share, reducing the Government’s shareholding to 62.4%. The sale commenced on Monday 4 June when markets closed and concluded this morning, Tuesday 5 June, before markets opened.

This sale follows the progress RBS has made in addressing major legacy issues and is a further step in the Government’s plan to return RBS in full to private ownership.

The Government received advice from UK Government Investments (UKGI) that selling shares through an accelerated book-build represented value for money for the taxpayer. The proceeds of this sale will go towards reducing our national debt.

It remains the Government’s objective to return the bank fully to private ownership, and further sales will be made when it represents value for money to do so and market conditions allow. This is in the best interests of the taxpayer and the wider UK economy.

HEALTH AND SOCIAL CARE

Carers Action Plan

The Minister for Care (Caroline Dinenage): I am today publishing a “Carers Action Plan 2018-2020—Supporting carers today” in the week leading up to Carers Week (11 to 17 June).

The cross-government carers action plan is an essential step towards realising the Government’s commitment to value, recognise and support carers to provide care in a way that supports their own health and wellbeing, employment and other life chances.

The plan sets out a two-year programme of targeted work to support unpaid carers. It puts a focus on practical actions to support carers and gives visibility to the work already under way or planned within Government.

In 2016, the Government ran a call for evidence to seek the views and experiences of unpaid carers. A summary of the 6,800 responses received will be published alongside the plan. Their contributions have informed its development and content, helping us to focus actions around the following five themes:

- Services and systems that work for carers
- Employment and financial wellbeing
- Supporting young carers
- Recognising and supporting carers in the wider community and society
- Building evidence and research to improve outcomes for carers

In this way, we will seek to build accessible carer-friendly communities and public services, promote innovative local projects and support carers to stay in work.

The Government recognise there is more to do and that is why the needs of carers will be central to the forthcoming Green Paper on care and support, as set out in the Secretary of Health’s speech in March.

The plan has been developed in close collaboration with Ministers and officials in other Government Departments including the Government Equalities Office, Department for Education, Department for Work and Pensions, Department for Business, Energy and Industrial Strategy and Department for Digital, Culture, Media and Sport.

The Government want to ensure that caring is a choice or responsibility that is always recognised and valued. The publication of this carers action plan today is an important part of that commitment.

“The Carers Action Plan 2018-2020—Supporting carers today” is available as an attachment online and on gov.uk.

Attachments can be viewed online at: https://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2018-06-05/HCWS732/ [HCWS732]

HOME DEPARTMENT

Biometrics Commissioner

The Minister for Security and Economic Crime (Mr Ben Wallace): My hon. Friend the Minister of State, Home Office (Baroness Williams of Trafford) has today made the following written ministerial statement:

I am pleased to announce that my right hon. Friend the Home Secretary is today publishing the fourth annual report of the Biometrics Commissioner, together with the Government’s response.

The Commissioner, Paul Wiles, is appointed under section 20 of the Protection of Freedoms Act 2012. His responsibilities are:

- to decide applications by the police for extended retention of DNA profiles and fingerprints from persons arrested for serious offences but not charged or convicted;
- to keep under review national security determinations made by chief officers under which DNA profiles and fingerprints may be retained for national security purposes;
- to exercise general oversight of police use of DNA samples, DNA profiles and fingerprints.

His report is a statutory requirement of section 21 of the Protection of Freedoms Act 2012.

I am grateful to Mr Wiles for this report, which we have published in full.

Copies of the report will be available from the Vote Office. The Government’s response will be placed in the House Library.

EU Information Systems

The Minister for Policing and the Fire Service (Mr Nick Hurd): The Government have decided to opt in (under the UK’s JHA opt-in protocol) to a proposal for establishing a framework for interoperability between EU information systems (police and judicial co-operation, asylum and
migration) and not to opt out (under the UK’s Schengen opt-out protocol) of the proposal, to the extent it affects the Schengen acquis in which we already participate.

The proposal will allow law enforcement and border guards to search all the relevant databases with a single query and will link together matching biometric information. It will also create links between related records, and will alert officials when potential multiple identities have been found. It covers three existing databases (Schengen Information System II, Visa Information System, EURODAC) and three planned databases (European Travel Information and Authorisation System, Entry Exit System, European Criminal Records Information System-Third Country Nationals). The UK participates in SIS II, EURODAC and ECRIS-TCN.

The intended aim of the work is to prevent incorrect or fragmented data amongst JHA databases and improve their efficiency and usage by law enforcement. This should prevent identity fraud and reduce inconveniences to honest travellers due to errors or similarities in biographical information. This will have benefits for UK policing being able to identify third country nationals who are victims, witnesses or suspects of crimes and terrorist incidents. It will also improve the quality and scope of data available to asylum officials. The Government support the aims of this work and have made this decision to maximise the benefits to the UK from access to these databases.

The decisions announced here have no implications for our general opt out from the internal border-free zone established by Schengen.

Until the UK leaves the EU it remains a full member, and the Government will continue to consider the application of the UK’s right to opt in to, or opt out of, forthcoming EU legislation in the area of justice and home affairs on a case by case basis, with a view to maximising our country’s security, protecting our civil liberties and enhancing our ability to control immigration.

[HCWS735]

WORK AND PENSIONS

Personal Independence Payments

The Minister for Disabled People, Health and Work (Sarah Newton): Personal independence payment (PIP) is a modern, personalised benefit that assesses people on needs not conditions. PIP is a fairer benefit than the old DLA system as it takes a much wider look at the way an individual’s health condition or disability impacts them on a daily basis.

We are constantly looking at ways to continually improve the PIP service. In response to Paul Gray’s second independent review and the recent Work and Pensions Select Committee report we outlined numerous further improvements to the PIP service. This included numerous measures to improve the clarity of our communications, project and increasing the level of clinical coaching, feedback and support available to each assessor.

A key part of our efforts to improve the assessment process will be making video recording of the PIP assessment a standard part of the process. We will be piloting videoing the assessment with a view to then rolling this out across Great Britain.

We have seen improvements in the overall quality of assessments since 2015 but we recognise there is still more to do to deliver the high quality of service those claiming PIP rightly expect. We will continue to work closely with stakeholder groups and our assessment providers to improve the quality of claimant communications, assessments, decision making and the overall claimant experience.

It is vital for claimants that we continue to have a stable service. My Department therefore intends to explore options to extend the current contracts for approximately two years as this will better allow for a stable transition to any new provision. At the same time we will look to enable more providers to deliver PIP by developing a DWP owned IT system. Throughout this period we will continue to focus on improving the service and the experience of claimants and offering the best value for money for the taxpayer.

We remain committed to understanding how the benefit is working and to continuous improvement in this space. Furthermore we remain committed to working closely with claimants and the organisations who represent them, and will continue to do so.

The measures I have outlined today will improve the claimant experience and we will continue to work with stakeholders to identify and implement further improvements to ensure we are delivering the high quality service claimants rightly expect and deserve.

[HCWS733]
Written Statements
Wednesday 6 June 2018

FOREIGN AND COMMONWEALTH OFFICE

Foreign Affairs Council

The Minister for Europe and the Americas (Sir Alan Duncan):
I attended the Foreign Affairs Council on 28 May. The Council was chaired by the High Representative of the European Union for Foreign Affairs and Security Policy (HRVP), Federica Mogherini. The meeting was held in Brussels.

Current affairs

The HRVP updated Ministers on EU activity on DPRK, Yemen, the Somalia partnership forum with Sweden on 25-26 June and the recent AU-EU College meeting. Ministers were briefed on the outcome of the MH17 investigation.

Iran

The Foreign Affairs Council (FAC) discussed Iran. Ministers underlined the importance of preserving the JCPOA and welcomed the steps already taken by the European Commission to protect European companies that have engaged with Iran following the lifting of nuclear-related sanctions. The FAC commended all efforts, notably those of the HRVP and the E3 Foreign Ministers (France, Germany and the UK) to ensure that Iran continues implementing the agreement. Ministers also discussed the EU’s concerns around Iran’s ballistic missiles programme, its role in regional conflicts, and the human rights situation. Ministers stressed the need to continue engaging with the US, a long-standing partner and ally, on all issues, including Iran.

Venezuela

Ministers exchanged views on Venezuela, following the recent elections and adopted conclusions setting out the EU’s concerns.

Gaza

Over lunch, Ministers discussed the situation in Gaza and the US embassy in Israel’s move to Jerusalem. Ministers agreed on the need to act immediately to avoid further loss of life, including by improving humanitarian access. They also stressed the importance of a political process, and re-confirmed the united EU position on the need to find a two-state solution, with Jerusalem as the capital of both states.

Democratic Republic of the Congo

The Council discussed the situation in the Democratic Republic of the Congo (DRC). Ministers stressed the importance of a credible, legitimate, consensual and inclusive electoral process leading to elections in December 2018. Ministers agreed that a smooth handover of power was crucial and co-operation with the region was critical. Ministers also expressed their concern over the dire humanitarian situation, in the light of the recent Ebola outbreak.

Post Cotonou agreement

Ministers reviewed work on the Council decision authorising the Commission to open negotiations on the future partnership between the EU and the African, Caribbean and Pacific (ACP) countries (post-Cotonou agreement). The Council asked EU Ambassadors to continue work on finalising and adopting the negotiating mandate under the leadership of the Bulgarian presidency.

Chemical Weapons

Under any other business, Ministers were updated on the international partnership against impunity for the use of chemical weapons meeting in Paris. Ministers supported the UK proposal for an extraordinary meeting of the conference of state parties.

Members agreed a number of measures without discussion:

- The Council approved an extension of EU restrictive measures against the Syrian regime until 1 June 2019;
- The Council adopted conclusions on enhanced EU security co-operation in and with Asia;
- The Council adopted conclusions on strengthening civilian common security and defence policy (CSDP);
- The Council adopted the EU’s annual report on human rights and democracy 2017 and the European Court of Auditors report on election observation missions;
- The Council agreed to opening a European Union delegation to Panama;
- The Council adopted conclusions on an EU position on combating the illicit trade in small arms and light weapons (SALW).

[HCWS738]

TRANSPORT

EU Transport Council

The Secretary of State for Transport (Chris Grayling):
I will attend the only formal Transport Council under the Bulgarian presidency (the presidency) taking place in Luxembourg on 7 June.

The Council is expected to reach a general approach on a proposal to revise the current regulation on safeguarding connectivity and competition in international air transport, which is intended to provide protection against subsidisation and unfair pricing practices in the supply of air services from non-EU countries. The Government places great importance on effective competition and liberalisation as a key enabler of international connectivity and considers that the proposed general approach is satisfactory.

Following this, the Council will be considering a general approach on a proposed directive on port reception facilities. The proposal aims to achieve a higher level of protection of the marine environment by reducing waste discharges at sea, as well as improved efficiency of maritime operations in port by reducing the administrative burden and by updating the regulatory framework. In negotiations, the UK has been generally supportive of the aims of the proposal but required clarification and consideration of the impacts to ensure that the final directive does not disproportionally impose additional or unnecessary burdens. We have also been successful in securing compromise and flexibility within the proposal, to ensure that the improvements to the directive do not unduly burden small ports and small ships.

Next, the Council will consider a number of files in phase one of the mobility package (published in May 2017). Firstly, the presidency will give a progress report focusing on proposals designed to improve the clarity and enforcement of the EU road transport market (the ‘market pillar’), and proposals on the application of social legislation in road transport (the ‘social pillar’).

The Council is expected to reach general approaches on two of the proposals in the Package. The first of these is a proposal to revise the current directive on the
European electronic road tolling service (‘EETS’). The UK views the proposals for a revised EETS directive favourably. The proposal contains provisions that will assist the enforcement of toll and road user charge collection. The second is a proposal on goods vehicles hired without drivers, which is intended to make it easier for undertakings to hire vehicles registered in a member state other than that where the undertaking is established. This is not a matter with significant practical implications for the UK given the relative rarity of operators hiring goods vehicles in this way in the UK. We are content for both of these general approaches to be agreed.

Following this, the presidency has prepared two progress reports on proposals from phase two of the mobility package (published November 2017). The presidency will provide an update on the state of play thus far on proposals to amend the current directive on combined transport, which aims to encourage and facilitate modal shift away from the roads and on to alternative means of transport and reduce congestion, and the proposal to broaden the scope of the current directive on clean and energy efficient vehicles, where the UK is leading the transition to cleaner road transport.

Next, there will be a progress report on the proposed revision to the regulation on rail passengers’ rights and obligations. The UK shares the commission’s objective of strengthening the rights of rail passengers. We therefore support in principle the proposal’s aim of standardising and improving passenger rights, including by improving access for people with disabilities or reduced mobility.

Under any other business, the commission will present phase three of the mobility package (published May 2018), followed by information on the action plan for military mobility, and an update on the implementation of the EU cycling strategy. The delegations from Sweden and Greece will then provide information on automated and connected driving and functioning of the fair competition framework in the aviation sector within the EU, respectively. The commission will then provide information on the state of play for EU summer-time arrangements, and finally, the Austrian delegation will present the transport work programme of their forthcoming presidency of the Council of the European Union.

[HCWS737]

Contingent Liability

The Secretary of State for Transport (Chris Grayling): I have today laid before Parliament a departmental minute describing a contingent liability relating to a blight agreement between me, as Secretary of State for Transport, and Heathrow Airport Limited (HAL).

If the proposed airports national policy statement is designated, land in the location identified as potentially suitable for the development of the north-west runway scheme becomes blighted. Owners of qualifying land (predominately owner-occupiers of private housing) within that location would be able to serve a blight notice on the Secretary of State, which if valid would, in effect, both authorise and oblige the Secretary of State to purchase the land.

In order to avoid my department having to cover the cost of blight claims, I, as Secretary of State, have entered into an agreement with HAL under which HAL assume the financial liability for successful claims. In the event the proposed NPS is designated, the cost of meeting blight claims will need to be met by my Department if the agreement were for some reason ineffective to transfer liability.

The maximum estimated contingent liability for the blight claims is £160 million, though actual gross liability is likely to be much lower, c. £5 million to £20 million, as most owners of qualifying property are thought likely to wait for the more generous offer of 125% from HAL, available following the granting of any development consent.

The Treasury approved this liability and the chairs of the Public Accounts Committee and the Transport Committee were notified of this contingent liability by letter of 16 May due to the confidential nature of the contingent liability at that time. A period of fourteen sitting days beginning on 21 May has been provided for issues or objections to be raised, and final approval to proceed with incurring the liability will be withheld pending an examination of the objection.

[HCWS739]
These will be available on gov.uk today and copies will be placed in the Libraries of both Houses.

[HCWS746]

HOME DEPARTMENT

Security Industry Authority

The Minister for Policing and the Fire Service (Mr Nick Hurd): I am pleased to announce that the review of the Security Industry Authority is today being published on www.gov.uk. This is part of a programme of regular reviews of public bodies to provide assurance and challenge for good governance and efficiency. A copy of the review will also be placed in the Library of the House.

I welcome publication of the review of the Security Industry Authority. The Government are committed to ensuring the integrity of the private security industry. I am pleased the review concludes that regulation of the industry remains relevant and that the Security Industry Authority has performed its role to a satisfactory standard.

The review makes a number of recommendations about the future of the regulatory regime. These require further consideration and analysis, in particular of the balance between improving public protection and the need to support and not overburden the private security industry, including the smaller organisations.

The Home Office will support the Security Industry Authority as it works to continue to improve its performance and risk-based approach and to realise efficiencies, with the aim of achieving regulatory best practice and showing leadership in taking the industry forward.

[HCWS742]

INTERNATIONAL TRADE

Foreign Affairs Council (Trade): 22 May 2018

The Minister for Trade Policy (Greg Hands): The EU Foreign Affairs Informal Council (Trade) took place in Brussels on 22 May 2018. I represented the UK at the meeting. A summary of the discussions follows:

Commissioner Malmström provided an update on her latest contact with Wilbur Ross on US tariffs on steel imports. A further temporary exemption was not expected. I supported the outcome of the leaders’ discussion the previous week and emphasised active UK engagement with the US in support of the EU position.

Ministers adopted the conclusions on the negotiation and conclusion of EU trade agreements. These follow the CJEU decision on competence boundaries in May 2017. They note the Commission’s proposal to pursue EU-only trade agreements, with the option of separate mixed investment protection agreements, and assert the role of the Council in deciding on a case-by-case basis whether to open negotiations in this manner (or to split existing agreements which are yet to be signed). The conclusions make clear that investment protection agreements and association agreements containing
provisions of shared competence will remain mixed agreements and will continue to require ratification at the national level. Among other things, the Council conclusions also state that member state Parliaments, civil society and other interested stakeholders should be kept duly informed from the beginning of the trade agreement negotiation process, and that member states should continue to involve their Parliaments in line with their respective national procedures.

Ministers thanked the Commission for its work on the EU-Japan economic partnership agreement along with the EU-Singapore free trade agreement and the EU-Singapore investment protection agreement (IPA). Commissioner Malmström confirmed the IPA would not be provisionally applied, coming into force only when all member states had ratified.

Ministers adopted mandates for negotiations with Australia and New Zealand, which would be launched during Commissioner Malmström’s visit to the region in June.

Commissioner Malmström debriefed Ministers on her recent engagement in the World Trade Organisation (WTO). Ministers agreed that the EU should continue engaging with the US and discussed the extent to which significant WTO reforms should be considered. I cautioned against portraying the WTO as being in “crisis” and urged maximising the opportunities including the “joint statement initiative” on e-commerce and encouraged further consideration of WTO reform.

**WORK AND PENSIONS**

**Universal Credit**

The Secretary of State for Work and Pensions (Ms Esther McVey): Today we publish a summary of the universal credit full business case, signed off by HM Treasury, which shows that when fully rolled out, universal credit is forecast to incentivise 200,000 more people to take employment than would have under the previous system and deliver £8 billion of benefits to the UK economy per year.

Universal credit is the biggest change of the welfare system since it was created. It is a modern, flexible, personalised benefit reflecting the rapidly changing world of work.

It has brought together the six main benefits, including tax credits, providing support in and out of work and assisting career progression. The Government have used a “test and learn” approach as it rolls out across the country.

The Government have already made a commitment that anyone who is moved to universal credit without a change of circumstance will not lose out in cash terms. Transitional protection will be provided to eligible claimants to safeguard their existing benefit entitlement until their circumstances change.

Today I am announcing four additions to these rules to ensure that universal credit supports people into work, protects vulnerable claimants and is targeted at those who need it.

First, in order to support the transition for those individuals who live alone with substantial care needs and receive the severe disability premium, we are changing the system so that these claimants will not be moved to universal credit until they qualify for transitional protection. In addition, we will provide both an ongoing payment to claimants who have already lost this premium as a consequence of moving to universal credit and an additional payment to cover the period since they moved.

Secondly, we will increase the incentives for parents to take short-term or temporary work and increase their earnings by ensuring that the award of, or increase in, support for childcare costs will not erode transitional protection.

Thirdly, we propose to re-award claimants’ transitional protection that has ceased owing to short-term increases in earnings within an assessment period, if they make a new claim to UC within three months of when they received the additional payment.

**TRANSPORT**

**East Midlands Invitation to Tender**

The Minister of State, Department for Transport (Joseph Johnson): I am pleased to inform the House that this morning the Department for Transport published the invitation to tender (ITT) for the east midlands rail franchise and the consultation document for the cross-country franchise signalling the start of a 12-week public consultation.

**East midlands rail franchise**

The ITT for the east midlands franchise sets out an exciting future that will deliver a brand new fleet of trains, more seats for passengers, reduced peak journey times between Nottingham, Sheffield and London and a dedicated, high-quality, express service between Corby and London. These improvements will mean more comfortable journeys for both long distance and commuting passengers at the busiest times of the day.

We have listened to what improvements passengers want to see and will be requiring the next operator to deliver a wide range of improvements across the network including improved compensation for delays, smart ticketing, high-quality wi-fi connection, more frequent and increased capacity on local services and services that start earlier and finish later.

As the Secretary of State set out in the Government’s strategic vision for rail in November 2017, we are now fixing the operational divide between track and train so that both Network Rail and train companies share one imperative: putting the passenger first. Better performance and reliability on the east midlands franchise will be delivered through a new collaborative partnership between the next operator and Network Rail.
Finally, individuals with capital in excess of £16,000 are not eligible for universal credit. However, for tax credit claimants in this situation, we will now disregard any capital in excess of £16,000 for 12 months from the point at which they are moved to universal credit. Normal benefit rules apply after this time in order to strike the right balance between keeping incentives for saving and asking people to support themselves.

The process of migrating claimants on legacy benefits will begin in July 2019 as previously announced. In order to make the changes to the system it will be necessary to extend the completion of UC to March 2023. As throughout UC roll out, we will keep the exact timetable under review to do what is sensible from a delivery and fiscal perspective.

These changes will form part of the universal credit managed migration and transitional protection regulations which we intend to bring forward in the autumn.

This Government are committed to delivering a welfare system that supports claimants and is fair to taxpayers.

[HCWS745]
The Commission provided information on its “new deal for consumers” proposal, confirming its ambitious timetable for adoption by May 2019. Some member states raised the dual quality of products as a key concern.

The Commission also presented its company law package and a proposal amending the supplementary protection certificates regulation for the export of medicinal products.

The presidency also provided updates on work in the area of tourism and within the SOLVIT network; the Austrian delegation presented its priorities as incoming presidency.

The Competitiveness Council continued on 29 May covering research, innovation and space. I represented the UK.

The Council held a policy debate on the future of European space policy. The UK emphasised the global nature of the space sector and the long heritage of technical excellence and research within the European space agency. The UK also outlined the case for continued full involvement in EU space programmes such as Galileo and Copernicus.

The Council continued with a discussion on the progress report on the regulation on establishing the European high performance computing joint undertaking. The UK assured the EU of our commitment to continuing collaboration in science and innovation and highlighted the importance of a continued focus of wider programmes on excellence. Following the discussion, the Council held a plenary session providing an update on the progress of the regulation.

The following sessions adopted two Council conclusions: the first on accelerating knowledge circulation in the European Union and the second on the European open science cloud.

The Council then agreed a general approach on the regulation on the research and training programme of the European atomic energy community (2019-2020) complementing the Horizon 2020 framework programme for research and innovation. Ministers agreed to the approach set out by the Commission.

The Council held a policy debate on research and innovation within the context of the next multiannual financial framework. The UK noted the value to the EU of the UK’s strength in research and innovation both in terms of results and of expertise in supporting research and innovation as well as emphasising the UK’s continuing desire to engage in European collaborative research and innovation programmes.

The Commission provided information on the outcome of the presidency event dedicated to space (Sofia, 17-19 April 2018). The Council concluded with Austria’s presentation of its incoming presidency work programme.

Written Statements

Monday 11 June 2018

BUSINESS, ENERGY AND INDUSTRIAL STRATEGY

Competitiveness Council: May 2018

The Minister for Universities, Science, Research and Innovation (Mr Sam Gyimah): The Competitiveness Council (Internal Market and Industry) took place on 28 May in Brussels. Lord Henley ‘Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy’ represented the UK.

The standing “competitiveness check-up” debate focused on the linkages between internal market integration and competitiveness in the EU. The Commission argued that its analysis showed that the single market generates significant economic benefits across a range of sectors. The UK underlined its continuing interest in the success of the single market, calling for continued progress, particularly on services, and for the EU to be a force for open international trade. Other member states picked up similar themes as well as other issues including access to finance.

The Council agreed a general approach on the revision of the mutual recognition regulation, which aims to improve the functioning of the mutual recognition principle for non-harmonised products in the single market. Member states were unanimous in their support for the presidency’s compromise text and praised the balance struck between the need to support businesses trading across the EU while allowing member states to protect their legitimate public interests.

The Commission presented its new proposal on platform to business relations, which it believed was a balanced attempt to improve transparency and predictability for users without creating undue burdens on platforms or stifling innovation. The UK responded positively but emphasised the benefits of platforms to businesses, particularly SMEs, and underlined the need to consult businesses. Other member states generally welcomed the Commission’s approach, but the debate displayed the tension between those that have legislated in this area and those who want to avoid fragmentation in the single market as a result of differing national legislation. Some hinted at their preference for further regulatory measures.

The presidency provided an update on progress in negotiations on the copyright package. Member states also responded to the UK’s ratification of the agreement on a unified patent court.

The Commission presented its latest package of digital single market proposals, which focus on the improved use of data at EU level as a tool to drive innovation.

Ministers discussed the opportunities and challenges of artificial intelligence, including the role of public and private investment, the impact on labour markets, and ethical and legal questions.

Energy Council: 11 June

The Minister for Energy and Clean Growth (Claire Perry): The Energy Council will take place on 11 June in Luxembourg.
The Council will discuss the regulation on the agency for the co-operation of energy regulators (ACER) with the presidency hoping to reach a general approach.

Under AOB, the presidency will provide an update on the current state of play in the negotiation of the regulation on governance of the energy union, the directive on renewable energy and the directive on energy efficiency. The Commission will then provide information on recent developments in the field of external energy relations. Finally, the Austrian delegation will provide information on the work programme for their forthcoming presidency.

[HCWS749]

TREASURY

Finance (No.3) Bill: Draft

The Financial Secretary to the Treasury (Mel Stride):
The Government will introduce Finance (No.3) Bill following the Budget in the autumn.

In line with the approach to tax policy making set out in the Government’s documents “Tax Policy Making: a new approach”, published in 2010, and “The new Budget timetable and the tax policy making process”, published in 2017, the Government are committed, where possible, to publishing most tax legislation in draft for technical consultation before the legislation is laid before Parliament.

The Government will publish draft clauses for Finance (No.3) Bill on Friday 6 July 2018, along with accompanying explanatory notes, tax information and impact notes, responses to consultations and other supporting documents. All publications will be available at www.gov.uk.

[HCWS757]

ECOFIN: 25 May 2018

The Chancellor of the Exchequer (Mr Philip Hammond):
A meeting of the Economic and Financial Affairs Council (ECOFIN) was held in Brussels on 25 May 2018. EU Finance Ministers discussed the following:

Early Morning Session

The Eurogroup President briefed the Council on the outcomes of the 24 May meeting of the Eurogroup, and the European Commission provided an update on the current economic situation in the EU.

Banking Package

The Council agreed a general approach to the banking risk reduction package including proposals for legislative amendments to the capital requirements regulation (CRR) and directive (CRD), single resolution mechanism regulation (SRMR), and the bank recovery and resolution directive (BRRD).

Strengthening administrative co-operation

The Council discussed measures to strengthen administrative co-operation in the area of VAT, but were unable to reach agreement on a general approach.

General reverse charge mechanism

The Council discussed proposals to allow member states to apply a temporary VAT general reverse charge mechanism, but were unable to reach agreement on a general approach.

E-publications

The Council discussed proposals to allow member states to apply reduced rates of VAT on e-publications, but were unable to reach agreement on a general approach.

Current financial services legislative proposals

The Bulgarian presidency provided an update on current legislative proposals in the field of financial services.

European semester

The Council adopted Council conclusions on the in-depth reviews of macroeconomic imbalances in member states as part of the macroeconomic imbalances procedure, and the implementation of 2017 country-specific recommendations as assessed in the Commission’s Country Reports, published on 7 March.

2018 Ageing report

The Council adopted Council conclusions on the 2018 Ageing report on age-related spending and the sustainability of public finances.

[HCWS753]

DEFENCE

Bosnia and Herzegovina EU-led Mission: Call-out order

The Secretary of State for Defence (Gavin Williamson):
A new order has been made under section 56(1B) of the Reserve Forces Act 1996 to enable reservists to be called into permanent service in support of the United Kingdom’s contribution to the EU-led mission in Bosnia and Herzegovina.

At the request of DSACEUR, the Operational Commander, the UK has agreed to generate an intelligence, surveillance and reconnaissance task force to enhance his situational awareness in Bosnia and Herzegovina over the period of the general election in October 2018. This capability will operate in parallel with and within the existing EUFOR framework to provide command and control for UK forces.

The planned uplift is consistent with Her Majesty’s Government’s objective of having a greater ambition for engagement with the western Balkans and sends the clear message of UK commitment to European security despite Brexit.

Some of the specialist skills needed to meet this requirement are held within the Army Reserve. UK forces will deploy for a period of six months with a planned deployment in mid-August 2018. The number of reservists anticipated to deploy as specialists or in support of regular units is estimated at up to eight personnel.

The order took effect from the beginning of 30 May 2018 and shall cease to have effect at the end of 29 May 2019.

[HCWS750]
DIGITAL, CULTURE, MEDIA AND SPORT

Education, Youth Culture and Sport Council

The Secretary of State for Digital, Culture, Media and Sport (Matt Hancock): The Education, Youth, Culture and Sport (EYCS) Council took place in Brussels on 22 and 23 May 2018. Lord Ashton of Hyde represented the UK at the Youth session of this Council on 22 May. The UK’s Deputy Permanent Representative to the EU, Katrina Williams, represented the UK on 23 May for the meetings on Culture and Audiovisual and Sport.

Youth

This session of the Council began with the adoption of Council conclusions on the role of young people in building a secure, cohesive and harmonious society in Europe. The Council adopted Council conclusions on the role of youth in addressing the demographic challenges within the European Union.

A policy debate was then held on the future priorities for EU Youth policy.

In addition, there was information from the Commission on European Youth Together, followed by information from the Belgian and French delegations on the Franco-Belgian declaration of Ministers responsible for youth on the prevention of violent radicalisation.

Culture/Audiovisual

This meeting began with the adoption of Council conclusions on the need to bring cultural heritage to the fore across policies in the EU.

There was also a policy debate on the long term vision for the contribution of culture to the EU after 2020, in particular looking forward to the next multiannual financial framework (2021-2027).

Additionally, there was a public deliberation of current legislative proposals. For this, the Council first welcomed information from the German delegation on the directive amending directive (2006/112/EC) as regards rates of value added tax—actively engaging in negotiations from a cultural policy perspective. In extension to this, information was provided by the French delegation on the regulation on the import of cultural goods. No legislative decisions were made in these debates, so there are no implications for the parliamentary scrutiny reservation.

Information was provided by the Lithuanian and Luxembourg delegations, on their respective hosting of the European Capitals of Culture 2022.

Sport

The sport session of EYCS began with the adoption of Council conclusions on promoting the common values of the EU through sport. This was followed by a policy debate on the commercialisation of elite sports and the sustainability of the European model of sport.

The EU member states represented in the World Anti-Doping Agency Foundation Board presented information on the Foundation Board meeting held on 16-17 May. The French delegation presented information on the informal meeting of the EU Minister for Sport (held in Paris on 31 May 2018), where there was the signing of a declaration for a Europe of Sport looking to the horizon of the 2024 Paris Olympic and Paralympic Games.

Other

The Austrian delegation set out their work programmes as the incoming presidency, for the second half of 2018. They highlighted a number of priorities for their presidency. These priorities included a focus on the work plan for culture 2018 plus, the successor programme to the Creative Europe programme and enhancing the principle of subsidiarity.

HEALTH AND SOCIAL CARE

Death Certification England and Wales: Reforms

The Minister for Care (Caroline Dinenage): My noble Friend the Parliamentary Under-Secretary of State for Health and Social Care (Lord O’Shaughnessy) has made the following statement:

Between March and June 2016 the Government consulted on a package of reforms to the death certification process and the introduction of medical examiners. The reforms aim to improve engagement with the bereaved in the process of death certification and offer them an opportunity to raise any concerns, as well as improving the quality and accuracy of medical certificates of cause of death. Safeguards will be enhanced in the process to enable medical examiners to report matters of a clinical governance nature to support local learning and changes to practice and procedures.

As part of the drive to further improve patient safety, I have today published the Government’s response to consultation on the introduction of medical examiners and the reforms of death certification in England and Wales, and a copy is attached. This sets out the Government’s intention to introduce a system of medical examiners in England. The Welsh Government consulted separately in Wales.

Medical examiners are a key element of the death certification reforms, which, once in place, will deliver a more comprehensive system of assurances for all non-coronial deaths regardless of whether the deceased is buried or cremated. Medical examiners will be employed in the NHS system, ensuring lines of accountability are separate from NHS acute trusts but allowing for access to information in the sensitive and urgent timescales to register a death.

The response to the consultation demonstrates that there is widespread support for the aims of the reforms and for the introduction of medical examiners, but there were concerns about some aspects of the proposals. In particular concerns were raised about how the proposed model, based in local authorities, would work in practice and about the timeframes for implementing the system. Feedback on a proposed funding model was also received.

Since the Government consulted on the package of death certification reforms, events have moved on. New information about how a medical examiner system could be introduced has been generated by the Department of Health and Social Care’s (DHSC) medical examiner pilot sites and early adopters of the medical examiner system, as well as from the learning from deaths initiative.

There will be two stages to funding the ME system to enable its introduction while legislation is in progress. Initially, medical examiners will be funded through the existing fee for completing medical cremation forms, in combination with central Government funding for medical examiner work not covered by those fees. Following this interim period and when parliamentary time allows for the system to move to a statutory footing, the funding of the system will need to be revisited. The existing medical cremation forms and fees payable associated with those forms will continue to apply for the interim period.
The Government have proposed that all child deaths (up to age 18) be exempt from the cost associated with the medical examiner system. This aligns with the broader purpose of the Government’s recent announcement about steps to ensure that no bereaved family will have to pay for the essential costs of burying or cremating their child.

Attachment:
1. Response to consultation (180611 Government response to ME and death certification consultation.pdf)

Gross Negligence Manslaughter in Healthcare: Review

The Secretary of State for Health and Social Care (Mr Jeremy Hunt): On 6 February 2018 I informed the House that I had asked Professor Sir Norman Williams to carry out a rapid policy review of gross negligence manslaughter in healthcare settings. This review was prompted by concerns among healthcare professionals that errors could result in prosecution for gross negligence manslaughter, even in the face of broader organisation and system failings. In particular, there was concern that this fear had had a negative impact on reflection and learning by healthcare professionals, which is vital to improving patient care.

My Department is today publishing the report of Sir Norman's rapid policy review.

Any investigation of a healthcare professional for suspected gross negligence manslaughter begins with the death of a patient—a life needlessly cut short and a family grieving. Sir Norman and his Panel have heard from such families. Their experiences were vital in informing this review and I would particularly like to thank them for their courage in providing evidence to the review.

The report finds that prosecutions and convictions of healthcare professionals for gross negligence manslaughter are rare. It also finds that the legal test for the offence is set at an appropriately high level. This should reassure healthcare professionals that only where conduct is "truly, exceptionally bad" and in consideration of "all the circumstances" will the bar for gross negligence manslaughter be met.

However in order to provide greater consistency the report makes recommendations to improve the investigation of allegations of gross negligence manslaughter involving healthcare professionals. These include:
- developing an agreed understanding of gross negligence manslaughter that reflects the most recent case law;
- improvements to the way that healthcare professionals provide expert advice and evidence; and
- improvements to local investigations into unexpected deaths in healthcare to provide a full understanding of the cause of death, ensuring improvements are made to reduce the likelihood of similar incidents.

The report also considers the impact of criminal and regulatory investigations on the willingness of healthcare professionals to reflect on their practice. It finds that reflective material is rarely sought in such investigations. Nonetheless, in order to provide clear assurance to professionals, the report recommends that those regulators that have a power to require information from registrants when investigating their fitness to practise should have this power removed in respect of reflective material.

Finally the report looks at the regulation of healthcare professionals. It makes a number of recommendations for further work to understand inconsistencies in the way that different regulators carry out their fitness to practise functions. It also finds that the General Medical Council’s right to appeal decisions of the Medical Practitioners Tribunal Service has resulted in a lack of confidence in their regulator as well as having an unanticipated impact on the willingness of doctors, especially trainees, to reflect fully on their practice. Since the PSA has a near identical right of appeal to Medical Practitioners Tribunal Service decisions, it is clear that there would be no gap in the law where regulatory action is being taken as a result of a serious criminal conviction, and the report recommends that the GMC’s right of appeal should be removed.

These recommendations aim to support a just and learning culture in healthcare, where professionals are able to raise concerns and reflect openly on their mistakes but where those who are responsible for providing unacceptable standards of care are held to account. This will support improvements in patient safety.

I thank Sir Norman and his panel for their work in delivering this important report. I accept the recommendations in full.

Attachments can be viewed online at: http://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2018-06-11/HCWS751.

HOUSING, COMMUNITIES AND LOCAL GOVERNMENT

Rough Sleeping

The Secretary of State for Housing, Communities and Local Government (James Brokenshire): I am today announcing the allocation of a targeted £30 million Rough Sleeping Initiative fund to support those sleeping rough and those at risk of sleeping rough in 83 local authorities with the highest numbers of rough sleepers.

On 30 March 2018 we announced a new, cross-Whitehall, multidisciplinary Rough Sleeping Initiative. A £30 million fund, targeted at areas with the highest levels of rough sleeping, was part of that package to support the work of the Rough Sleeping Initiative team.

Over the last few months our team of expert practitioners have worked closely with local authorities and the Greater London Authority (GLA) to identify service gaps and create tailored packages to tackle rough sleeping in their area this year. Together they have co-produced bespoke plans to tackle rough sleeping based on local government and third-sector knowledge of what works.

This represents a first significant step in our plans to reduce rough sleeping. It will be followed by a cross-Government strategy, published in July, which will set out how we intend to meet the manifesto commitment of halving rough sleeping by 2022 and eliminating it altogether by 2027.

This funding will provide for over 500 new staff focused on rough sleeping. This will include more outreach workers to engage with people on the streets, specialist mental health and substance misuse workers and dedicated co-ordinators to drive efforts to reduce rough sleeping
in their areas. It will also provide for over 1,700 new bed spaces including both emergency and settled accommodation.

The new Rough Sleeping Initiative team will work closely with local areas to implement the plans and to monitor their progress.

In recognition of the expertise needed to deliver reductions in rough sleeping immediately, Jeremy Swain, currently chief executive of the homelessness charity Thames Reach, has been brought in to lead the Rough Sleeping Initiative. Jeremy is an outstanding candidate for this position, and he brings with him 30 years of invaluable frontline experience. He will be in post by early July.

A full list of the individual amounts allocated to the 83 local authorities and the GLA has been published on www.gov.uk. Further funding for 2019-20 will be announced shortly.

I am confident this package will achieve substantial results in these areas of high need. It will also build upon the work we have already undertaken in order to meet out manifesto commitment this work includes: piloting the internationally proven Housing First approach in three major regions of England; allocating over £1.2 billion in order to prevent homelessness and rough sleeping, including more upfront funding so local authorities can proactively tackle homelessness pressures in their areas; and also the recent changes made under the Homelessness Reduction Act 2017 which means that more people will get the help they need and at an earlier stage—preventing a homelessness crisis from occurring in the first place.

[HCWS754]

**INTERNATIONAL TRADE**

**EU-Japan Economic Partnership Agreement**

The Secretary of State for International Trade and President of the Board of Trade (Dr Liam Fox): I am pleased to announce that my Department will today publish an impact assessment for the EU-Japan Economic Partnership agreement (EPA). I have separately written to the Scrutiny Committees in both Houses of Parliament such that they can consider this evidence as part of their important scrutiny of this agreement. A copy of this impact assessment will be placed in the Libraries of both Houses.

The European Union and Japan concluded negotiations on this agreement in December 2017, and have announced their intention to sign this agreement at an EU-Japan summit in July, subject to approval by EU member states in the Council of the European Union.

This agreement will promote bilateral trade and economic growth between the EU and Japan by eliminating most tariffs and reducing non-tariff measures that businesses face when trading goods and services and investing.

The Government remain committed to supporting the EU’s ambitious trade agenda including the free trade agreements it is putting in place and to date has strongly supported the EU-Japan EPA negotiations.

The Prime Minister and the Japanese Prime Minister Shinzo Abe agreed in August 2017 to “work quickly to establish a new economic partnership between Japan and the UK based on the final terms of the EPA” as the UK leaves the EU. The UK-Japan Trade and Investment Working Group, established last year by the Japan-UK joint declaration on prosperity co-operation, is tasked to deliver on this commitment and met for the second time in May.

[HCWS747]

**TRANSPORT**

**Contingency Liability: Notification**

The Secretary of State for Transport (Chris Grayling): I have today laid before Parliament a departmental minute describing three contingent liabilities relating to a tripartite deal between Heathrow Airport Limited (HAL), First Greater Western Limited (FGW) and the Department for Transport.

Unfortunately, due to the urgent need to finalise the deal and the confidential commercial nature of the negotiations it was not possible to notify Parliament of the particulars of the liability and allow the required 14 days’ notice prior to the liabilities going live. A delay would have resulted in higher HS2 costs and an increased scheduling risk impacting on the December 2026 opening date for phase 1.

The main element of the deal is a service agreement between FGW, HAL and Heathrow Airport Operating Company (HEOC) for the continuation of non-stop rail services between Paddington and Heathrow Airport. Under this agreement FGW will assume operation of Heathrow Express services. Although this is an agreement between private sector companies, there are significant benefits to the Department, in particular, savings generated from not building a replacement depot for Heathrow Express rolling stock at Langley (the land on which the current depot is situated at Old Oak Common is needed by HS2 for the construction of the high speed railway).

In order to conclude the deal, and secure departmental/HS2 benefits, the Department needed to offer indemnities in relation to three risks that the parties were unwilling or unable to assume or manage. The financial exposure is not high—a conservative estimate is £12 million. But they are unusual and outside the Department’s normal course of business.

The three contingent liabilities are: first, indemnifying FGW against the cost of any delay to delivery of new rolling stock required to operate Heathrow Express services. The Department’s exposure is estimated to be £2.25 million; second, indemnifying FGW against the cost of any redundancies following the transfer of staff, mainly drivers, from HAL to FGW. The cost is estimated to be €3.2 million; third, an indemnity against contagion from a wider industrial relations dispute—nationwide or franchise wide. The exposure is estimated to be £6.8 million.

The Treasury approved these liabilities before they were activated. However, if any Member of Parliament has concerns, he/she may write to me within the next 14 parliamentary sitting days. I will be happy to examine their concerns and provide a response.

Attachments can be viewed online at: http://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2018-06-11/HCWS748.

[HCWS748]
Written Statements

Tuesday 12 June 2018

DEFENCE

Contingent Liabilities

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. HMT recognise the urgency for these contingent liabilities to be laid before Parliament and have approved them in principle. Final approval is expected pending the outcome of a wider departmental review, as part of the balance sheet review, being conducted by Her Majesty's Treasury.

The minute describes the contingent liabilities that the MOD holds against three Air Command contracts, two Defence Infrastructure Organisation (DIO) and one Navy Command contract. 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 MOD 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. Air Command, DIO and Navy Command have 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.

If the liability is called, provision for any payment will be sought through the normal supply procedure.

If, following the laying of the departmental minute, a Member signifies an objection by writing to me, I undertake to examine the objection and respond to the member concerned.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Multi-agency Flood Plan Review Report

The Secretary of State for Environment, Food and Rural Affairs (Michael Gove): On 3 November 2017 I announced that DEFRA and the Environment Agency would be undertaking a review of multi-agency flood plans produced by local resilience forums (LRFs) in England, as part of the Government’s ongoing work to address flood risk (written statement - HCWS221). The remit of the review was to look at the effectiveness and consistency of current flood plans, to identify good practice and provide advice on how it can be spread, to help make sure we have the best plans in place across the country. The review was led and overseen by Major General (ret’d) Tim Cross, as an independent external reviewer.

I am very pleased today to be publishing General Cross’s review. I would like to extend my sincere thanks to General Cross for conducting such careful, insightful analysis and so quickly. The review report includes 12 recommendations which General Cross developed in light of his discussions and evidence gathering with LRFs and specialists across the country and he has brought to the fore important issues that need to be addressed.

I will now consider the report’s recommendations in detail, in consultation with other Departments, and will publish a Government response later in the year.

I have arranged for a copy of the report to be placed in the Libraries of the House.

JUSTICE

Justice and Home Affairs Post-Council Statement

The Lord Chancellor and Secretary of State for Justice (Mr David Gauke): The Justice and Home Affairs Council took place in Luxembourg on 4 and 5 June 2018. The UK was represented by a senior official from the Ministry of Justice on Justice Day (4 June). The Home Secretary represented the UK on Interior Day (5 June).

Justice Day began with a discussion on the contract law—sales of goods directive. The UK supported the presidency’s approach of a single set of rules in this measure for all goods (including those with embedded digital content), and on guarantee periods, but expressed concern on the potential for full harmonisation of remedies. A more general concern was expressed around the room, including by the UK, about the impact of the remedies provisions on consumer protections set out in national laws. Work will continue at technical level in line with the digital content directive, taking this concern into account.

The presidency secured a partial general approach on the insolvency directive provisions covering the discharge of debts for honest entrepreneurs, training for judges and practitioners and data collection, in line with UK views.

There was a discussion around certain policy questions on Brussels III, with broad support for circulation of provisional measures in relation to child abduction cases, as well as the need for consent in relation to the placement of children in foster or institutional care in another member state. On the recognition and enforcement of judgments, member states were divided on whether (and how) to treat cases involving children differently, with the presidency concluding that further work would be required at technical level.

There was a report on the preparatory steps needed to be taken to ensure that the European Public Prosecutor’s Office (EPPO) becomes operational in 2020. The UK will not participate in the EPPO.
Member states discussed the misuse of user data and the protection of democracy in relation to Facebook. The UK provided an update on the ICO’s (Information Commissioner’s Office’s) investigation. The Commission noted the importance of fully implementing the General Data Protection Regulation (GDPR) and welcomed the co-operation between the UK and Ireland on the Cambridge Analytica case.

Judicial training and the role of the European judicial training network was discussed over lunch. There was broad support for more money for the network in the next multi-annual financial framework.

The incoming Austrian presidency provided an update on their programme. They will aim to achieve a general approach in a number of dossiers: insolvency, e-evidence, sale of goods, service of documents and taking of evidence; political consensus on Brussels IIA; and the adoption of the confiscation, Eurojust and ECRIS TCN (European Criminal Records Information System—Third Country Nationals) measures. The July informal JHA Council will also include a discussion on mutual trust and mutual recognition, and developing ECJ jurisprudence (in particular the Irish references on UK and Polish European arrest warrants (EAWs)).

In a joint session of Justice and Home Affairs Ministers there was a policy debate on the reform of the Common European Asylum System (CEAS). Of the measures that make up CEAS, the UK has only opted in to the recast of the Eurodac regulation. Member states remained split on the inclusion of a mandatory redistribution mechanism in the recast Dublin regulation. The June European Council will aim to reach agreement as a priority.

There was a policy debate on the regulation amending the Schengen visa code. The UK does not participate in the border and immigration aspects of the Schengen acquis so this legislation has no impact upon the UK.

Over lunch, Ministers exchanged views on the current developments on the migration situation at the eastern, central and western Mediterranean migration routes. The UK reinforced our commitment to the EU-Turkey statement and called for focus on breaking the people smugglers’ business model and encouraged more action on strategic communications. The Council agreed the immediate and short-term measures proposed by the presidency.

Ministers then exchanged views on enhancing co-operation between counterterrorism authorities. The Council endorsed the importance of the Counter Terrorism Group’s work and endorsed the call for heightened co-operation between intelligence and law enforcement communities.

On internal security, the Council signalled continued support for the multidisciplinary approach of the EU policy cycle to counter organised and serious international crime.

Finally, there was a discussion on co-operation between common security and defence policy operations and EU JHA agencies. The Council was updated on the establishment of the new “Crime Information Cell” in the EUNAVFORMED Operation Sophia.

[HCWS760]
Written Statements  
Wednesday 13 June 2018

EXITING THE EUROPEAN UNION

EU Exit

The Secretary of State for Exiting the European Union (Mr David Davis): Today we are publishing two documents produced by the UK negotiating team for discussion with the EU.

These cover:
- Civil Judicial Cooperation
- Company Law (Accounting and Audits)

These will be available on gov.uk and copies will be placed in the Libraries of both Houses.

[HCWS765]

HOME DEPARTMENT

Fire Reform

The Secretary of State for the Home Department (Sajid Javid): I am pleased to announce that I have approved the proposal from the Police and Crime Commissioner (PCC) for North Yorkshire (Julia Mulligan), to take on governance of North Yorkshire Fire and Rescue Service.

I have carefully considered the proposal, taking into account representations made by the public, police and fire personnel, and relevant local authorities in response to the PCC’s local consultation. I have had regard to an independent assessment of the PCC’s proposal, carried out by the Chartered Institute for Public Finance and Accounting (CIPFA) and today publish this, in the interests of transparency. A copy of the independent assessment will be placed in the House Library and published on www.gov.uk shortly.

Having had regard to this material, I am of the view that a transfer of fire governance to the PCC is in the interests of economy, efficiency and effectiveness, and that there is no adverse effect on public safety.

My officials will now prepare the necessary statutory instrument to give effect to this proposal in the coming months.

As a directly accountable leader overseeing both fire and policing, the PCC can increase efficiency and effectiveness, maximise available resources and improve the service delivered to the public. I look forward to seeing the benefits this will bring to North Yorkshire.

[HCWS766]

TRANSPORT

Road Safety

The Parliamentary Under-Secretary of State for Transport (Jesse Norman): The UK has some of the safest roads in the world, but every road death is an unnecessary tragedy. That is why the last Government set out an ambitious range of further measures to enhance the safety of UK road users in its 2015 road safety statement.

Today I am publishing a progress report on the delivery of the planned actions from that statement. We have made some good headway: 15 of the 23 short-term actions have been delivered including three where our original objectives have been exceeded. Penalties for using mobile phones when driving have been significantly increased, we have exceeded our commitments to funding police forces in England and Wales to build drug-driving enforcement capability, and most recently new legislation came into force on 4 June allowing learners to drive on motorways when accompanied by an instructor in a dual control car. I am placing a copy of the progress report in the Libraries of both Houses.

This is good progress. But it is only part of a wider picture.

First, I am pleased today to announce the successful bids for the safer roads fund, which we made available to enable local authorities to improve the 50 most dangerous stretches of A roads in England. We are investing £100 million to tackle these dangerous roads. This sum fully funds all bids from the local authorities concerned. The additional £75 million initially allocated for the work has not been required, but we will continue to look closely at further scope for capital improvements to improve road safety.

I am placing a copy of the list of successful local authorities and the sections of roads to be improved in the Libraries of both Houses and all local authorities have been notified directly today. A report on the lessons learned from the bidding process is also being published today, to aid knowledge sharing and capacity building among local authorities. I have made this report available in the Libraries of both Houses as well.

Secondly, last week the Prime Minister also announced two important and path-breaking road safety projects: a £350,000 innovation competition to provide police forces with the next generation of mobile breathalyser equipment, enabling swifter and more timely read-outs on drink-driving tests; and a £480,000 partnership between police forces and the RAC Foundation to trial an innovative approach to road collision investigation, carrying out more in-depth, qualitative analysis of the underlying causes of road safety incidents.

This package of measures underlines the Government’s recognition of the importance of road safety. But, thirdly, we intend to go further still, and I have asked the Department to develop a refreshed road safety statement and a two-year action plan to address four priority user groups—young people, rural road users, motorcyclists and older vulnerable users. The first three of these groups are continually overrepresented in our road casualty statistics, while we have data to confirm that the safety of older road users is a growing concern. Our goal is for everyone to continue to enjoy the mobility that driving offers, but to do so safely. The development of this refreshed road safety statement will also take account of the early lessons from the new road collision investigation pilots.

It is important to say that the Department cannot and does not seek to achieve all these actions in isolation. We remain grateful for the constructive and expert support of key partners, including motoring groups such as the AA, RAC and the RAC Foundation; road safety campaigners including PACTS, Road Safety Foundation, Brake, Road Safety Trust, and RoSPA; local authorities and the police, as well as colleagues.
in other Government Departments and devolved Administrations. Officials will work with these organisations, and with colleagues at DVSA, DVLA and Highways England to deliver this new package of road safety measures.

Attachments can be viewed online at: https://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2018-06-13/HCWS761/.

[HCWS761]
Written Statements

Thursday 14 June 2018

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Agriculture and Fisheries Council

The Minister for Agriculture, Fisheries and Food (George Eustice): The Agriculture and Fisheries Council will take place on 18 June in Luxembourg.

As the provisional agenda stands, the primary focus for fisheries will be a presentation by the European Commission on the state of play of the common fisheries policy (CFP) and consultation on the fishing opportunities for 2019.

Council will exchange views on a regulation on the European maritime and fisheries fund, followed by an exchange of views concerning a regulation amending Council regulations as regards fisheries control.

The primary focus for agriculture will be an exchange of views on the common agricultural policy (CAP) post 2020. Council will discuss three regulations during this item: a regulation on CAP strategic plans; a regulation on financing, management and monitoring of the CAP; and a regulation on common market organisation of agricultural products.

The Commission will also provide an update on the situation in EU agricultural markets.

There are currently six items scheduled under any other business:

- protection of honeybees and other pollinators
- memorandum on the CAP in the context of the next MFF
- decreasing availability of water for agriculture in Cyprus
- disposal of skimmed milk powder stocks
- situation in the pig meat market
- joint declaration of the ministers of agriculture of 11 member states (Czech Republic, Hungary, Poland, Slovakia, Bulgaria, Croatia, Romania, Slovenia, Estonia, Latvia, and Lithuania) on the vision of the central eastern European initiative for knowledge-based agriculture, aquaculture and forestry in the bio-economy “BIOEAST”.

[HCWS764]

TRANSPORT

Automated and Electric Vehicles Bill: English Votes for English Laws

The Parliamentary Under-Secretary of State for Transport (Jesse Norman): 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 amendments tabled during the progress through the House of Lords the Automated and Electric Vehicles Bill.

[HCWS766]

Transport Council

The Secretary of State for Transport (Chris Grayling): I attended the only formal Transport Council under the Bulgarian presidency (the presidency) in Luxembourg on Thursday 7 June.

The Council reached a general approach on a proposal to revise the current regulation on safeguarding connectivity and competition in international air transport, which is intended to provide protection against subsidisation and unfair pricing practices in the supply of air services from non-EU countries. During the discussion, I emphasised the importance of connectivity, consumer choice and avoiding market distortions.

Following this, the Council adopted the presidency’s proposal for a general approach on the directive on port reception facilities. I supported the aim to further protect the marine environment against illegal discharges of waste from ships and to ensure the efficiency of maritime operation in ports, and recognised that concerns raised by the UK had been addressed.

Next, the presidency presented a progress report on the revised rail passengers’ rights and obligations regulation, which was noted by the Council.

Following this, the Council considered a number of files in phase one of the mobility package (published in May 2017). First, the presidency concluded that the Council had reached a general approach on the compromise proposal on the revised European electronic road tolling services (“EETS”) directive, on which I voiced my support. Next, when considering the proposed directive on hired goods vehicles, the presidency observed it did not have sufficient support for a general approach and concluded that the Council was unable to adopt the proposal. In the discussion, I noted that the UK supported the general approach, but acknowledged that other member states wanted further discussion.

Over lunch, Ministers discussed the financing of infrastructure projects in the EU and connectivity in the western Balkans.

Following this, the presidency presented progress reports on the remaining elements of phase one of the mobility package, covering proposals designed to improve the clarity and enforcement of the EU road transport market (the “market pillar”), and proposals on the application of social legislation in road transport (the “social pillar”). I outlined the outstanding areas of concern for the UK and committed to working constructively toward a general approach and deal moving forward.

Next, the presidency presented two progress reports on proposals from phase two of the mobility package (published November 2017). The presidency provided updates on the proposal to amend the current combined transport directive, which aims to encourage and facilitate modal shift away from the roads and onto alternative means of transport, and to reduce congestion, and the clean and energy-efficient vehicles directive.

Under any other business, several items were discussed. Notably, Commissioner Bulc presented the third and final mobility package proposals, which focused on safety and technology in transport. Commissioner Bulc also presented an action plan on military mobility; in reply to Luxembourg, she confirmed that a range of actions were being pursued under the EU cycling strategy and, in reply to Finland, set out plans for an upcoming
public consultation on summertime arrangements. Furthermore, Sweden noted the 18 and 19 June summit on connected and autonomous vehicles in Gothenburg; and Austria presented transport plans for its incoming presidency of the Council of the European Union.

Regarding bilateral engagement, I met with Commissioner Bulc and my ministerial counterparts from Austria, Belgium, Bulgaria, Denmark, Finland, France, Germany, Netherlands, Malta, Poland and Romania. [HCWS765]
Written Statements

Friday 15 June 2018

HOME DEPARTMENT

Immigration Rules

The Minister for Immigration (Caroline Nokes): My right hon. Friend the Home Secretary is today laying before the House a statement of changes in immigration rules.

The changes include exempting doctors and nurses from the tier 2 (general) limit, recognising the important contribution that overseas health professionals make to our NHS. This is in response to the particular shortages and pressures facing the NHS at the current time, as well as the fact that the limit has been oversubscribed in each month since December 2017. The change will mean that health sector employers will be able to sponsor doctors and nurses without putting pressure on the limit, freeing up places within the limit for other key roles which contribute to the UK economy and other public services. The changes will be kept under review.

The Government will also ask the independent Migration Advisory Committee to review the composition of the shortage occupation list.

Building on the changes announced by the Chancellor in the autumn, which were implemented in January of this year, further improvements are being made to the tier 1 exceptional talent route. These changes include widening the scope of the creative element of the route to include leading fashion designers, and improved provisions for applicants in film and television.

Appendix H is being updated to include a number of visa national countries, which will allow a greater number of students to benefit from a streamlined application process by reducing documentary requirements. This change demonstrates the continued focus on improving the UK’s offer to international students.

Today also sees the introduction of a new rule for those transferred to the UK under section 67 of the Immigration Act 2016 (section 67 leave), who do not qualify for refugee or humanitarian protection leave under the existing rules. In keeping with our commitments in the legislation, and in line with those granted refugee or humanitarian protection leave, individuals who qualify for section 67 leave will have the right to study, work, access public funds and healthcare and apply for indefinite leave to remain without paying a fee after five years.

New settlement provisions are being created to put beyond doubt that Afghan nationals who worked with our armed forces in Afghanistan, and subsequently relocated to the UK with their families, will be able to apply for permanent residence here. As announced on 4 May, these applications will also be free of charge. Afghan locally engaged staff worked in dangerous and challenging situations, regularly putting their lives at risk and we would not have been able to carry out our work there without them. The new dedicated settlement rules make clear our commitment to honour their service and ensure they can continue to build their lives here. The changes also implement plans to extend the ex gratia redundancy scheme by six years to recognise and honour the service of those made redundant before 19 December 2012, as announced by the Defence Secretary on 11 June.

As announced in March, a new route to settlement for Turkish business people and their families who are in the UK under the European communities association agreement is also being created. Eligibility is being extended for this route to Turkish workers and their families who are also here under the association agreement.

Changes are being made to provisions to allow holders of an electronic visa waiver (EVW) to present their EVW in a digital format. The changes will also establish a wider set of permissible errors that will overlook specific, minor discrepancies in the biographic details of an EVW, without compromising on the security of the EVW system.

WORK AND PENSIONS

Personal Independence Payments

The Secretary of State for Work and Pensions (Ms Esther McVey): Last week I came to the House to answer an urgent question regarding two PIP appeals to the upper tribunal (known as AN and JM) that I had withdrawn. I was unable to comment on a related case that was pending an appeal to the Court of Appeal (known as LB) as it concerned ongoing litigation, and I committed to updating the House at the earliest opportunity on this case when I was able to do so.

I carefully considered this appeal and have decided to not continue with it in order to provide certainty to the claimant involved. The March 2017 amending regulations (regulations 2(2) and (3) of the Social Security (Personal Independence Payment) (Amendment) Regulations 2017) clarified the Department’s position on PIP daily living activity 3 (managing a therapy or monitoring a health condition) and therefore further litigation is unnecessary.

On Wednesday 13 June I received confirmation that the Court of Appeal had consented to my Department’s application to withdraw the appeal in the LB case, and I am pleased to confirm the claimant will be receiving arrears of benefit as soon as possible.

My Department has now begun work to apply the law as stated by the upper tribunal in LB and will take all steps necessary to implement it in the best interests of all affected claimants for the period 28 November 2016 (the date of the upper tribunal decision in LB) to 16 March 2017 (when the amendment to activity 3 came into force). This work will include a review exercise later in the year. We expect that around 1,000 claimants will be affected.

I am absolutely committed to ensuring that disabled people and people with health conditions get the right support they need. PIP is a modern, personalised benefit that assesses claimants on needs, not conditions. It continues to be a better benefit than its predecessor DLA for claimants with chronic conditions. This Government are spending over £50 billion a year supporting people with disabilities and health conditions—this is higher than ever before.

[HCWS767]
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.—[Presented by Angus Brendan MacNeil, Official Report, 26 April 2018; Vol. 639, c. 1132.]

Royal Bank of Scotland closure in Airdrie

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.—[Presented by Neil Blackford, Official Report, 2 May 2018; Vol. 640, c. 280.]

Royal Bank of Scotland closure in Beauly

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, Beauty & 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.—[Presented by Ian Blackford, Official Report, 15 May 2018; Vol. 641, c. 246.]

Royal Bank of Scotland closure in Kyle of Lochalsh

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 Lochalsh, Beauty & 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.
Royal Bank of Scotland closure in Nairn, Grantown and Aviemore

The petition of residents of Inverness, Nairn, Badenoch & Strathspey,

Declares that the proposed closure of the branches of the publicly-owned Royal Bank of Scotland in the areas of Nairn, 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 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.—[Presented by Drew Hendry, Official Report, 9 May 2018; Vol. 640, c. 860.]

[P002147]

NatWest Ferryhill

The petition of residents of the United Kingdom,

Declares that NatWest Ferryhill is due to close on the 4th June 2018 and this will have a detrimental effect to the local community.

The petitioners therefore request that the House of Commons urges the Government to take into account the concerns of petitioners and take whatever steps they can to halt the planned closure of NatWest Ferryhill branch.

And the petitioners remain, etc.—[Presented by Phil Wilson, Official Report, 15 May 2018; Vol. 641, c. 246.]

[P002149]

Observations from the Economic Secretary to the Treasury (John Glen):

The Treasury has received nine petitions, objecting to the closure of bank branches, from the hon. Member for North Ayrshire and Arran (Patricia Gibson) (P002135, P002136, P002137), the hon. Member for Na h-Eileanan an Iar (Angus Brendan MacNeil) (P002140), the hon. Member for Airdrie and Shotts (Neil Gray) (P002142), the right hon. Member for Ross, Skye and Lochaber (Ian Blackford) (P002144 and P002145), the hon. Member for Inverness, Nairn, Badenoch and Strathspey (Drew Hendry) (P002147), and the hon. Member for Sedgefield (Phil Wilson) (P002149).

The Government thank all members of Parliament who have recently submitted petitions on bank branch closures on behalf of their constituents.

The Government are sorry to hear about residents’ disappointment at the closure of their local bank branches. All banking service providers will need to balance customer interests, market competition, and other commercial factors when considering their strategies. Decisions on opening and closing branches and agencies are taken by the management team of each bank on a commercial basis, without intervention from Government.

The Government are clear that their stake in RBS Group is managed at arm’s length by UK Financial Investments (UKFI). UKFI are wholly owned by the Government and are responsible for managing the Government’s stake in the assets acquired during the financial crisis. UKFI are not responsible, however, for managing the assets themselves. RBS retains its own board, which is responsible for strategic and management decisions and decisions relating to branch closures are solely within the remit of the bank.

However, the Government do believe that banks should act in the best interests of their customers and are committed to increasing competition to deliver better financial products and services for all bank customers. The Government continue to engage actively with the banking industry and consumer groups on these issues on an ongoing basis.

In May 2017, the major high street banks signed up to the Access to Banking Standard, committing to work with customers and communities to minimise the impact of branch closures and put in place alternative banking services. The Standard commits banks to ensure customers are well informed about branch closures, the bank’s reasons for closure and options for continued access to banking services. These options should include specialist assistance for customers who need more help. The operation of the Standard is monitored and enforced by the independent Lending Standards Board, ensuring that banks are held accountable for the way they treat their customers when a branch closes.

In addition, in January 2017, the Post Office announced that it had reached an agreement with the banks that will allow more banking customers to access a wider range of services at the Post Office than ever before. The arrangement allows 99% of personal and 95% of business customers to withdraw money, deposit cash and cheques and check balances at more than 11,500 Post Office branches in the UK. While the range of services offered by the Post Office may be more limited than that offered in a traditional bank branch, the services provided through the Post Office’s extensive network ensures that essential banking facilities remain available in as many communities as possible. Since 2010, branch numbers have been at their most stable for decades and 99.7% of the national population now live within three miles of a branch. Furthermore, 92.9% of the national population live within one mile of their nearest post office branch. Almost 98.7% of the rural population live within 3 miles of a post office.

Both initiatives have the Government’s full support, and banks are aware that the Government expect their involvement to be genuine and unqualified.

Should constituents wish to switch banks, the Government have made it easier to do so than ever before using the Current Account Switch Service (CASS). The switch service is free to use, comes with a guarantee to protect customers from financial loss if something goes wrong, and redirects any payments mistakenly sent to the old account, providing further assurance for customers. This means that customers are more able than ever to hold their banks to account by voting with their feet, and that banks are incentivised to work hard to retain their existing customers and attract new ones. More information about CASS is available at: www.currentaccountswitch.co.uk

The Government cannot reverse the changes in the market and in customer behaviour; nor can they determine firms’ commercial strategies in response to those changes. However, the Government will continue to take positive action to maintain access to vital banking services and ensure banks support communities across the UK when their local branches close.
Petition

Monday 11 June 2018

OBSERVATIONS

JUSTICE

Dangerous driving sentencing review

The petition of residents of the UK,

Declares that too many lives have been lost due to dangerous driving; further that the House is currently reviewing a Bill relating to death by dangerous driving which currently carries a maximum sentence of fourteen years in prison; and further that petitioners maintain that this sentence does little justice for families who have lost loved ones due to the recklessness of others.

The petitioners therefore request that the House of Commons urges the Government to bring forward this Bill for urgent review and further change the law so that the maximum sentence for causing death by dangerous driving can be increased to imprisonment for life.

And the petitioners remain, etc.—

[57x-84]—

Observations from The Minister of State, Ministry of Justice (Rory Stewart):

Killer drivers ruin lives. Their actions cause immeasurable pain to families, who must endure tragic, unnecessary losses. This Government are committed to making sure that the courts have sufficient powers to deal with driving offences appropriately and proportionately.

In October last year we published the Government response to the consultation on driving offences and penalties relating to causing death or serious injury. In that response we confirmed our proposals to: increase the maximum penalty for causing death by dangerous driving from 14 years’ imprisonment to life; increase the maximum penalty for causing death by careless driving under the influence of drink or drugs; and create a new offence of causing serious injury by careless driving.

These proposals will require a change to primary legislation. The Government propose to introduce a Bill as soon as Parliamentary time allows and we continue to look for appropriate opportunities to present these provisions to Parliament.

We are, in the meantime, taking the opportunity to address other issues of concern related to safer roads, such as serious offences resulting in death or injury committed by cyclists and cases involving police pursuits.

I welcome the support expressed for these changes and stress again that we are seeking to introduce our proposals for reform of the law as soon as is practicable.

No sentence can of course make up for the loss of a loved one but we are focused on getting the law right, to ensure the changes we make are comprehensive and proportionate, and, we hope, might help avoid some further unnecessary deaths on our roads.
Petition

Wednesday 13 June 2018

PRESENTED PETITION

Petition presented to the House but not read on the Floor

Felixstowe Academy

The petition of residents of Felixstowe, Suffolk Coastal and the wider Suffolk area,

Declares that the most recent Ofsted report for Felixstowe Academy declares it as an ‘Inadequate’ school and that the Academy has been placed into ‘Special Measures’; further notes Ofsted’s damning summary that outcomes for pupils are below the government’s floor standards; that Special Education Needs pupils do not make adequate progress; that there is a culture of bullying at the school that has not been dealt with effectively; that too many parents have lost faith in the school’s ability to deal with that bullying; that too many pupils are persistently absent; and that the support provided by the Academies Enterprise Trust (AET) has been ineffective in helping the school to improve since the previous inspection.

The petitioners therefore request that the House of Commons urges the Government to remove the Academies Enterprise Trust (AET) from the management of Felixstowe Academy so the school can have a fresh start under new leadership for the benefit of pupils.

And the petitioners remain, etc.
Petition

Thursday 14 June 2018

OBSERVATIONS

TRANSPORT

Basingstoke Motorway Service Areas

The petition of residents of Basingstoke,

Declares that urgent action must be taken concerning proposals for new Motorway Service Areas at Basingstoke; further that there is no need for any additional motorway service areas given that the existing services at Fleet and Winchester are only 23 miles apart; further that the development of any new facilities will be detrimental to the environment and traffic congestion; further that they are clearly not in the best interests of Basingstoke residents; and further that the two proposals that have been made to date, one at Junction 6 and one near Junction 7 are not acceptable.

The petitioners therefore request that the House of Commons urges HM Government to ensure road safety and the avoidance of traffic congestion are given priority over any unnecessary new motorway service areas around Basingstoke; and further urges the Department for Transport to reinstate the requirement for there to be a minimum distance between motorway service areas.

And the petitioners remain, etc.—[Presented by Mrs Maria Miller, Official Report, 24 April 2018; Vol. 639, c. 849.]

Observations from the Parliamentary Under-Secretary of State for Transport (Jesse Norman):

The petitioners request that the HM Government ensure road safety and the avoidance of traffic congestion are given priority over any unnecessary new motorway service areas around Basingstoke.

Motorway service areas and other roadside facilities perform an important road safety function by providing opportunities for the travelling public to stop and take a break in the course of their journey. Since 1992, Government policy has been that the private sector should take the lead in identifying and acquiring sites for motorway service areas and in obtaining the required planning permission from local authorities. The Government work closely with operators to ensure that the provision of roadside facilities is sustained and to seek ways to enhance quality so as to provide an improved service for customers.

Basingstoke and Dean Borough Council are responsible for the day to day planning of their area. The Government’s policy is not to interfere with the jurisdiction of a local planning authority unless it is necessary to do so. This is because local authority Councillors are elected to represent the views of local people and, in the main, it is these Councillors who are in the best position to decide whether a development should go ahead. In determining a planning application the local planning authority are required to have regard to all material considerations including the development plan, national policies and views expressed by third parties. It is, of course, for local planning authorities to provide whatever justification that may be appropriate to give for their decisions and procedures. The Government are committed to giving more power to councils and communities to make their own decisions on planning issues, and believe planning decisions should be made at the local level wherever possible.

Basingstoke and Deane Borough Council consulted Highways England on the proposal to construct a Motorway Service Area at land adjacent to M3 Junction 6 in November 2017 (planning application 17/03487/FUL). They are reviewing the proposal in line with Department for Transport Circular 2/2013 The Strategic Road Network and the Delivery of Sustainable Development and in particular Annex B Roadside Facilities for Road Users on Motorways and All-purpose Trunk Roads in England. There is currently insufficient information to establish the potential impact to the safe and efficient operation of the M3 from the proposal and therefore have not formally responded to Basingstoke with a final position. Highways England are currently working with the applicant to provide the appropriate information to enable them to determine if any potential impacts can be accommodated or if necessary mitigated whilst maintaining a safe and efficient operation of the M3.

Basingstoke have previously requested EIA Scoping Opinion (16/02767/ENSC) in 2016 for a proposal for a Motorway Service Area on the M3 Southbound between Junctions 6 and 7. We are not aware of a formal application to Basingstoke and Deane Borough Council subsequently being made.

The petitioners also request that the Department for Transport reinstate the requirement for there to be a minimum distance between motorway service areas. The current spread of service areas across the motorway network has evolved from a long-standing spacing criterion of 30 mile intervals between sites. This spacing criterion was set on the premise that drivers should have the opportunity to stop for rest and to obtain fuel at intervals of approximately half an hour. Current Government advice is that motorists should stop and take a break of at least 20 minutes every two hours. There are currently no plans to reintroduce a minimum distance in future revisions of the Circular as all issues regarding safety and congestion are already considered fully via the planning process.
Ministerial Correction

Monday 4 June 2018

FOREIGN AND COMMONWEALTH OFFICE

Nazanin Zahargi-Ratcliffe

The following is an extract from an Urgent Question on Nazanin Zahargi-Ratcliffe on 22 May 2018.

Kerry McCarthy (Bristol East) (Lab): Last year, I met Redress, which has been mentioned already, to discuss not just this case but that of Andy Tsege. It published a report in January saying that more than 100 British citizens a year were reporting being mistreated in jails abroad and not being provided with the humanitarian or consular assistance that the British Government should be giving them. It also says that there is inconsistency in the support provided, particularly for dual nationals. What can the Minister do to assure us that any British national, whether a dual national or not, will receive the same consular support if they find themselves in that position?

Alistair Burt: They are certainly offered all the same support, but the blunt fact is that not all states treat dual nationals the same: some recognise dual nationality and allow access to the UK authorities, others do not accept it and treat the dual national solely as a national of their own state. In those circumstances, they do not believe they are required to give access. I can assure the hon. Lady, however, that in each and every case the UK Government make exactly the same representations seeking access, because we believe that dual nationality means what it says: dual nationality, not sole nationality.


Letter of correction from Alistair Burt.

An error has been identified in the response I gave to the hon. Member for Bristol East (Kerry McCarthy) during the Urgent Question on Nazanin Zahargi-Ratcliffe.

The correct response should have been:

Alistair Burt: For our cases in Iran, they are certainly offered all the same support, but the blunt fact is that not all states treat dual nationals the same: some recognise dual nationality and allow access to the UK authorities, others do not accept it and treat the dual national solely as a national of their own state. In those circumstances, they do not believe they are required to give access. I can assure the hon. Lady, however, that in each and every case in Iran the UK Government make exactly the same representations seeking access, because we believe that dual nationality means what it says: dual nationality, not sole nationality.
Ministerial Correction

Monday 11 June 2018

HEALTH AND SOCIAL CARE

NHS Outsourcing and Privatisation

The following is an extract from the Opposition day debate on NHS Outsourcing and Privatisation on 23 May 2018.

Stephen Barclay: As my right hon. Friend the Secretary of State pointed out, the NHS has £80 billion of PFI contracts and a £200 billion a year spend on PFI.


Letter of correction from Stephen Barclay.

An error has been identified in my winding-up speech during the Opposition day debate on NHS Outsourcing and Privatisation.

The correct response should have been:

Stephen Barclay: As my right hon. Friend the Secretary of State pointed out, the NHS has £80 billion of PFI contracts and a £2 billion a year spend on PFI.
Ministerial Correction

Thursday 14 June 2018

LEADER OF THE HOUSE
Business of the House

The following is an extract from the statement on the Business of the House on 7 June 2018.

Justine Greening (Putney) (Con): Thank you, Mr Speaker. Can the Leader of the House set out when the airports national policy statement will be debated and voted on?

Andrea Leadsom: The NPS was laid on 5 June and will be subject to a debate and vote in the House of Commons within 21 sitting days of laying the final NPS in Parliament. The last date that that can take place is 10 July 2018.

Letter of correction from Andrea Leadsom:

An error has been identified in the answer I gave to my right hon. Friend the Member for Putney (Justine Greening) during business questions on 7 June 2018.

The correct response should have been:

Andrea Leadsom: The NPS was laid on 5 June and will be subject to a debate and vote in the House of Commons within 21 sitting days of laying the final NPS in Parliament. The last date that that can take place is 9 July 2018.